

**Table of Contents**  
**Title 46**  
**PROFESSIONAL AND OCCUPATIONAL STANDARDS**

**Part LV. Plumbers**

Chapter 1.	Introductory Information .....	1
Chapter 3.	Licenses .....	2
Chapter 5.	The Board .....	13
Chapter 7.	Board Employees.....	14
Chapter 8.	Preemption.....	15
Chapter 9.	Revocation and Related Administration Proceedings .....	15
Chapter 10.	Continuing Professional Education Programs.....	17
Index	.....	29



# Title 46

## PROFESSIONAL AND OCCUPATIONAL STANDARDS

### Part LV. Plumbers

#### Chapter 1. Introductory Information

##### §101. Definitions

*Apprentice Plumber*—a natural person engaged in learning the plumbing trade by working under the direct on-the-job supervision of a journeyman plumber and in the employ of an employing entity. Apprentice plumbers shall be indentured in an apprenticeship program approved by the Louisiana Department of Employment and Training.

*Backflow*—the flow of water or other liquids, mixtures, or substances into the distributing pipes of a potable supply of water from any source or sources other than its intended source.

*Backflow Prevention Device*—an assembly that has been investigated and approved by the Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California, University Park, and, if applicable, by the Louisiana Department of Health and Hospitals.

*Cross-Connection*—any physical link in a public or a consumer's potable water supply system that allows backflows or any other source of contamination or pollution.

*Employing Entity*—as that term is used in R.S. 37:1367.B and C and in these regulations, shall mean a corporation, partnership or sole proprietorship that holds itself out as engaging in the business or art of *plumbing* as defined in §101.Plumbing and who employs at least one master plumber on a regular paid basis for actual services performed by that master plumber or master plumbers supervising journeyman plumbers.

*Journeyman Plumber*—a natural person who possesses the necessary qualifications and knowledge to install, alter, and/or repair plumbing systems; is licensed as such by the board; is supervised by a master plumber; and is in the employ of an employing entity.

*Maintenance Work*—as that term is used in R.S. 37:1377.D(9) and §101.Plumbing.1.i of these rules shall mean and be limited to the changing of the working parts of faucets or valves of plumbing fixtures equipped with exposed fixture supply stops; the repair or replacement of fixture trim; or the clearing of stoppages but only through cleanout fittings approved by applicable health codes adopted by the Louisiana Department of Health and Hospitals or through vent terminal openings. Such maintenance work shall specifically not include construction, installation, or *repairs* as defined in §101.Repair.

*Master Plumber*—a natural person who possesses the necessary qualifications and knowledge to plan and lay out plumbing systems; who supervises journeyman plumbers in the installation, alteration, and/or repair of plumbing systems; and who is licensed as such by the board.

*Medical Gas and Vacuum System Verification*—the work or business of testing and verifying medical gas pipeline installations and systems. Medical gas pipeline systems include vacuum piping. The medical gas pipeline systems subject to this definition include facilities and laboratories within the scope of Standard for HealthCare Facilities (ANSI) NFPA 99, latest edition. It shall include a person's ability to understand and apply NFPA99, as well as all standards listed in Section 1.4 of the Professional Qualifications Standard for Medical Gas Systems Installers, Inspectors and Verifiers, ASSE Series 6000, Standard 6030, and to properly document findings to be kept as a permanent record for review the Louisiana State Fire Marshal or other governmental agencies with compliance and enforcement authority.

*Medical Gas and Vacuum Systems Verifier*—a natural person who possesses the necessary qualifications and knowledge to test and verify the operation of medical gas and vacuum pipeline systems, subject to the professional qualification standards established by the American Society of Sanitary Engineers (ASSE) Series 6000, Standard No. 6030 (latest edition), and who is licensed as such by the board.

*Medical Gas Piping Installation*—the work or business of installing in buildings and premises piping used solely to transport gases for medical purposes. Generally, it shall refer to a pipe distribution system characterized by a central supply (including bulk systems, manifold devices or medical air compressors) with control equipment and piping extending to points in a facility where nonflammable gases are required or utilized, with suitable outlet valves at each use point.

*Medical Gas Piping Installer*—a natural person who possesses the necessary qualifications and knowledge to install, repair and maintain medical gas piping installations and is licensed as such by the board.

*Plumbing*—

1. the work or business of installing in buildings and on premises the pipes, fixtures, and other apparatus for supplying water, or removing liquid waste and/or water-borne waste, and fixtures, vessels and process piping that is in direct contact with products for human consumption. The term is also used to designate the installed fixtures, drainage fixtures and water distribution systems of buildings or premises. For purposes of this Part the definition of *plumbing* given above will not include:

- a. water used in manufacturing establishments for processing products that are not for human consumption;
- b. drilling of water wells;
- c. community water supply distribution system or systems;
- d. community sewage collection or treating system or systems;
- e. fixtures, vessels or piping used by manufacturing establishments for removal of any waste other than human, vegetable or animal waste;
- f. all piping used for heating or cooling where it is not directly connected with a potable water system;
- g. all piping used for conveying oil, gas, or other hydrocarbons;
- h. work done by an individual on his own personal residence;
- i. work done by an owner management company, its agents, employees, or assigns for maintenance work to be carried out upon the owner's property, as such *maintenance work* is defined by rules of the State Plumbing Board. Such maintenance work shall specifically not include construction or installation.

2. Provided, however, anything herein to the contrary notwithstanding, the term *plumbing* shall not include pipes, fixtures, and other apparatus of any nature whatsoever used in manufacturing plants, or used in the exploration for production of, or transportation of oil, gas or other minerals, whether before, during, or after installation.

3. Provided, further that anything herein to the contrary notwithstanding, the term *plumbing* shall not include the work or business of installing, repairing or maintaining individual sewage systems approved by the Office of Public Health of the Department of Health and Hospitals (DHH) by persons licensed to perform such work or business by DHH. For purposes of this Subsection, the individual sewage system shall include the individual mechanical plant, septic tank system, or other DHH-approved individual sewage treatment device up to the inlet connection of the primary treatment device, but shall not include the building sewer or building plumbing.

*Repair*—as that term is used in R.S. 37:1367.A, shall mean and be limited to the performance of repairs to existing plumbing, the clearing of stoppages, or repairing leaks. Such repair work shall be performed only by a *journeyman plumber* as defined in §101.*Journeyman Plumber* of these rules.

*Water Supply Protection Specialist*—as used in R.S. 37:1366.H, 1367.G and 1368.H, a master plumber or journeyman plumber licensed by this board, who has been issued an endorsement to his master or journeyman plumber license by this board permitting him to install, repair and maintain backflow prevention devices between the public's or an individual consumer's potable and other water system and any other source or system through which it is possible

to introduce into any part of the potable system any used water, industrial fluid, gas or substance other than the intended potable water with which the system is supplied.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366.D.

HISTORICAL NOTE: Adopted by the Department of Labor, Plumbing Board, 1968, amended and promulgated by the Department of Employment and Training, Plumbing Board, LR 17:49 (January 1991), amended by the Department of Labor, Plumbing Board, LR 21:1348 (December 1995), LR 26:329 (February 2000).

### §103. Gender and Meaning

A. Whenever any words are used in these regulations in the masculine gender, they shall also be construed to include the feminine gender in all situations where they would so apply; and whenever any words are used in the singular, they shall also be construed to include the plural in all situations where they would so apply and wherever any words are used in the plural, they shall also be construed to include the singular.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1377 and R.S. 37:1366.

HISTORICAL NOTE: Adopted by the Department of Labor, State Plumbing Board, 1968, amended and promulgated by Department of Employment and Training, State Plumbing Board, LR 17:57 (January 1991), repromulgated by the Department of Labor, State Plumbing Board, LR 30:2068 (September 2004).

## Chapter 3. Licenses

### §301. Licenses Required

A. No natural person shall engage in doing the work of a journeyman plumber unless he possesses a license or renewal thereof issued by the board. A journeyman plumber may engage in the art of plumbing only when he is under the supervision of a master plumber licensed by this board. Notwithstanding any other provision to the contrary, a journeyman plumber may repair existing plumbing independently and without the supervision of a master plumber.

B. Apprentices may engage in the art of plumbing only when they are under the direct, constant on-the-job supervision of a licensed journeyman plumber. Direct, constant on-the-job supervision means that a licensed journeyman plumber will supervise no more than one apprentice on only one job at a time.

C. The board shall issue a license to any person who qualifies under the board's regulations and who desires to engage in doing the work of a journeyman plumber if he passes a written and manual journeyman plumber's examination given by the board and pays the fees established by the board.

D. No natural person shall engage in the work of a master plumber unless he possesses a master plumber's license or renewal thereof issued by the board. The board shall issue a master plumber license to any person who qualifies under the board's regulations and who desires to engage in doing the work of a master plumber if he passes a written examination given by the board and pays the fees

established by the board. A written examination shall not be required for persons applying pursuant to §301.I and §303.C. A master plumber shall not engage in the work of a journeyman plumber unless he also possesses a journeyman plumber's license issued by the board or previously possessed a journeyman plumber's license issued by the board. A person issued a master plumber's license shall designate to the board, as required by the rules of the board, an employing entity, which may be a corporation, partnership, or sole proprietorship. A licensed master plumber shall notify the board of any change of employment status with an employing entity within 30 days of the effective date of change in employment status. A master plumber shall designate no more than one employing entity at any time. The board may charge a reasonable fee for processing such redesignations.

E. No employing entity shall hold itself out as engaging in the business or art of plumbing unless it employs a master plumber. No master plumber shall knowingly allow an employing entity to hold itself out as employing such master plumber at a time when it does not employ him within the meaning of R.S. 37:1368.C and §301.G of these rules. Notwithstanding any other provision to the contrary, a journeyman plumber may repair existing plumbing independently and without the supervision of a master plumber. In the event a master plumber employed by an employing entity dies, the employing entity will be permitted to operate on the basis of the deceased master plumber's license for a period of time not to exceed six months following the death of the master plumber. The board may require proof of death. The six-month grace period provided herein must be applied for, in writing, within 30 days of the death of the master plumber. The employing entity must comply with all other regulations issued by the board during the grace period.

F. Every employing entity shall maintain an established place of business, with facilities for receiving complaints, calls and notices during normal business hours, from any person for whom it is performing plumbing or from the board and its representatives. It shall display a sign, plainly visible from the street at every place where it and its employees are performing plumbing work. The sign shall designate the employing entity's full name, address, telephone number and master plumber license number issued by the board to the designated active master plumber in its employ. The sign shall include legible lettering at least 2 inches high with the words "Louisiana Licensed Master Plumber" (or abbreviated "LA Lic. Master Plumber"). The employing entity shall also identify itself by permanent signs or lettering affixed to its service vehicles on both sides of such vehicles indicating the same information required of job-site signs, except the master plumber license number can be abbreviated as "LMP \_\_\_\_\_." All public advertising, solicitations, customer invoices, and business correspondence issued by or on behalf of an employing entity shall set forth the information described herein.

G. Employment of an active master plumber by an employing entity on a regular paid basis, as required by R.S. 37:1368.C and §301.E of these rules, shall mean

employment or self-employment for wages or under a bona fide contract of hire with no more than one employing entity at any given time. Such employment or self-employment must include services performed by the active master plumber which is within the state of Louisiana or both within and without the state of Louisiana.

H. Temporary working permits to journeyman plumbers only may be issued as required by R.S. 37:1376 and may be issued to a holder of a state license from states with like examinations, should that state recognize the Louisiana license, or where other bona fide evidence shows that the applicant's past experience would be capable of protecting the public from defective plumbing. Each temporary permit must be signed by both the chairman and the secretary of the board. A reasonable fee may be charged for the issuance of temporary permits, as fixed by the board.

I. A restricted master plumber license, as permitted by R.S. 37:1368.C and D, shall be issued by the board to any natural person who, prior to July 1, 1990, possessed a master plumber license issued by a local governmental jurisdiction or to a journeyman plumber licensed by this board who was permitted by local law to conduct a plumbing business in a local governmental jurisdiction as an employing entity. Any person holding a restricted master plumber's license shall not perform the work of a journeyman plumber unless he currently possesses or previously possessed a journeyman plumber's license issued by the board. This restricted master plumber license shall permit the license holder to perform the work and business of plumbing only in the geographic area previously covered by the local governmental authority and only within the scope of plumbing work or business permitted by such local license or local law. Any employing entity designated by a restricted master plumber shall likewise be limited to the conduct of its plumbing business to the geographic area and scope of plumbing work or business described in the license issued to the restricted master plumber.

J. An inactive master plumber, as that term is used in R.S. 37:1368.E, shall mean a natural person who is licensed by the board as a master plumber or who successfully applies for and passes the examination for master plumber license administered by the board pursuant to §305 of these rules. An applicant for inactive master plumber status must state in a form supplied by the board that he does not wish or intend to practice as a master plumber. An inactive master plumber shall not be permitted to designate an employing entity, or knowingly allow an employing entity to hold itself out as employing him as a master plumber. An inactive master plumber can convert his status to that of a master plumber by submitting to the board an appropriate form supplied by the board and upon payment of a fee established by the board. During the period of his inactive status the inactive master plumber shall pay a fee established by the board. An inactive master plumber converting his status under this Section shall designate an employing entity. Persons issued a restricted master plumber license under §301.I of these rules shall likewise be permitted to apply for inactive master plumbing status. However, should that person convert his status to that of master plumber such

converted status shall be subject to the same restrictions applicable to his original restricted license. An inactive master plumber shall be permitted to work as journeyman plumber during the period or periods he maintains an inactive plumber's license, if he is currently or was previously licensed by the board as a journeyman plumber.

K. The board is empowered to assess special enforcement fees on a daily basis at a rate not to exceed \$10 a day relative to any master plumber or employing entity, or both, that fails or refuses, after due notice, to comply with the sign and posting requirements established by §301.F of these regulations. The daily enforcement fees assessed by the board under this provision shall not exceed, in the aggregate, \$500. This special enforcement fee shall be in addition to any licensing fees required by law, or any other penalty or sanction assessed by a court of competent jurisdiction or by the board.

L. Apprentices may engage in the work of medical gas piping installation only when they are under the direct, constant on-the-job supervision of a licensed medical gas piping installer. Direct, constant on-the-job supervision means that a licensed medical gas piping installer will supervise no more than one apprentice on only one job at a time. No apprentice shall be permitted to engage in brazing procedures or brazing performance.

M. In the event any applicant for any license or endorsement who successfully completes a required examination, but fails to pay to the board any requisite license or endorsement fee within 90 days of notice of his examination results shall not be issued the applicable license or endorsement unless and until he submits to an successfully completes re-examination and pays the appropriate fees for such re-examination and subsequent license or endorsement fee. Imposition of this re-examination requirement may be waived for good cause. Any special endorsement fees incurred before or during the re-examination process shall not be affected.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:1366.D.

**HISTORICAL NOTE:** Adopted by the Department of Labor, Plumbing Board, 1968, amended and promulgated by the Department of Employment and Training, Plumbing Board, LR 17:49 (January 1991), amended by the Department of Labor, Plumbing Board LR 19:897 (July 1993), LR 19:1593 (December 1993), LR 21:1348 (December 1995), LR 25:1857 (October 1999).

### **§303. Application for License**

A. Applications for journeyman plumber license shall be completed and sworn to before a notary public by the applicant. Each applicant, except those completing apprenticeship programs approved by the board, must furnish references from three journeyman plumbers licensed by this board, stating the periods, to the best of their knowledge, that the applicant has worked at the manual labor of the trade of plumbing and is qualified to take the examination without assistance, and provide whatever other information is requested, on official board application form.

However, the board may accept an affidavit from the applicant in lieu of references in the event the applicant satisfies the board that such references are not obtainable for reasons beyond his control.

B. The board must satisfy itself that an indentured apprentice plumber has satisfactorily completed the approved apprenticeship program.

C. Applications for master plumber license shall be completed and sworn to before a notary public by the applicant. The applicant must submit proof that he is licensed by the board at the time of application as a journeyman plumber or as a restricted master plumber or the applicant must submit proof that he is a professional engineer licensed by the state of Louisiana with experience in the art of plumbing as defined in R.S. 37:1377.D. He must furnish whatever other information relevant to his experience that is requested in the application form or specially requested by the board.

D. An application for medical gas piping installer shall be completed and sworn to before a notary public by the applicant. The applicant must submit proof that he has completed a course of training described in §304.B of these regulations by an organization certified by the board pursuant to R.S. 37:1368.G. Additionally, the applicant must present proof of maintenance of performance qualification as a brazer in accordance with §304.J of these regulations. The applicant must furnish whatever other information relevant to his experience that is requested in the application form or specially requested by the board.

E. An application for an endorsement to a master or journeyman plumber license shall be completed and sworn to before a notary public by the applicant. The applicant must submit proof that he is licensed by the board at the time of application as a master or journeyman plumber. The applicant must submit proof that he has completed a course of training described in §309.B of these regulations. He must furnish whatever other information relevant to his experience that is requested in the application form or specially requested by the board.

F. An application for medical gas and vacuum systems verifiers license shall be completed and sworn to before a notary public by the applicant. The applicant must submit proof that he has successfully completed a course of training and related certification testing described in §312.B of these regulations by an organization certified by the board pursuant to R.S. 37:1368.I. The applicant must furnish whatever information relevant to his experience that is requested in the application form or specifically requested by the board.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:1366.D.

**HISTORICAL NOTE:** Adopted by the Department of Labor, Plumbing Board, 1968, amended and promulgated by the Department of Employment and Training, Plumbing Board, LR 17:50 (January 1991), amended by the Department of Labor, Plumbing Board, LR 21:1348 (December 1995), LR 26:329 (February 2000).

**§304. Medical Gas Piping Installer License**

A. No natural person shall engage in the work or business of medical gas piping installation unless he possesses a license or renewal thereof issued by this board. The board shall issue a medical gas piping installer license to any person who qualifies under the board's regulations and who desires to engage in the work or business of a medical gas piping installer if he passes a written and manual examination given by the board for this purpose and pays the fees established by the board. No person shall qualify for examination as a medical gas piping installer unless he completes a course of training provided by an organization recognized by the board pursuant to §304.B.

B. As authorized by R.S. 37:1368.G, the board shall recognize and certify certain programs of education and training of medical gas piping installation offered by private or public organizations or institutions. A natural person's satisfactory completion of any such program shall qualify him for admission to an examination offered under §304.A of these regulations. Any such organization must satisfy the board that its program or programs meets the following criteria.

1. The program is conducted at a training facility open to those members of the public that provide proof of five years of training or experience in any aspect of the piping industry.

2. The program requires 32 hours of medical gas piping installation training that meets criteria prescribed by the board and is included in the National Fire Protection Association (NFPA) 99C Gas and Vacuum Systems, latest edition. Program testing must cover the following areas:

- a. the history of medical gas piping;
- b. application of NFPA 99C to medical gas piping;
- c. industry terminology, definitions, and vocabulary;
- d. performance criteria and objectives;
- e. medical gas hazards;
- f. basic components of medical gas systems;
- g. storage and manifold requirements;
- h. requirement for gas supply systems;
- i. bulk systems;
- j. medical air compressors;
- k. color coding and labeling requirements;
- l. scope of piping;
- m. valves;
- n. medical gas rail;
- o. gas piping;
- p. brazing procedures and installation requirements;
- q. alarm requirements.

3. The program must employ or utilize certified welding inspectors (CWI) to witness brazing exercises and the certification of brazers in accordance with American Welding Society (AWS), Standard for Brazing Procedures and Performance Qualification.

4. The program must be conducted at a facility capable of housing brazing qualification procedures administered to trainees in accordance with either Section IX, "Welding and Brazing Qualifications" of the ASME Boiler and Pressure Code or AWS B2.2, Standard for Brazing Procedure and Performance Qualification, as modified by NFPA 99C Gas and Vacuum Systems, latest edition. Such brazing training must be performed on copper tubing and conducted in a fashion to qualify a trainee on all ranges from 1/4-inch through 4-inch nominal type "L" copper tubing.

5. The program must employ or utilize instructors who are certified as medical gas installers by a governmental agency having jurisdiction over medical gas piping. In the absence of a governmental agency exercising such jurisdiction, the board will recognize the role of insurance inspection departments or property owners who have assumed the role of inspecting and approving medical gas piping installation and have exercised such authority with respect to work performed by any such individual providing instructional services to others. Instructors must have completed a 40-hour course on instructional training in the field of medical gas piping installation by an organization certified pursuant to R.S. 37:1368.G or similar organization recognized by public or private agencies having jurisdiction or authority with respect to medical gas piping installation. Instructors must also possess proof of completion of a minimum of eight hours of annual continuing education in the field of medical gas piping installation.

C. To be eligible for board certification pursuant to R.S. 37:1368.G, an interested organization providing medical gas piping installation training and education must complete a written application on a form or forms supplied by the board. The board shall be entitled to receive timely information on the program or programs administered by such organization and background of instructors upon request at any time. The board, acting through its representatives, may also inspect the facility and observe the actual training and education programs used or offered by such organizations. Failure to cooperate with the board and its representatives may be grounds for denial or withdrawal of board certification of any such organization. The board may investigate complaints concerning such programs. Adverse administrative action affecting an organization's application for certification or its continued status as an organization certified by the board pursuant to R.S. 37:1368.G will be subject to the Administrative Procedure Act.

D. An applicant for a medical gas piping installer license must attach to his application a money order or check for the appropriate fee established in §310 of these regulations.

E. Regular quarterly examinations for medical gas piping installer may be held in conjunction with examinations for journeyman or master plumber license

applications, or on such days specially set by the board. Interested persons shall be notified of the examination schedule.

F. A medical gas piping installer license application must be submitted to the New Orleans office of the board not less than 30 days before any scheduled examination. Failure to report for the examination will result in forfeiture of the applicant's fee. This forfeiture may be reversed by the board upon a showing of good cause by the applicant explaining his failure to attend the scheduled examination.

G. The chairman of the board shall appoint an examiner or examiners to conduct medical gas piping installer license examinations. An examiner may be a representative of a private or public professional service provider qualified to administer a standardized, nationally recognized test duly adopted by the board.

H. The board may accept, in lieu of an examination directly administered by the board to any applicant, the verifiable results of an examination administered by an organization certified pursuant to R.S. 37:1368.G, as evidence of successful completion of the examination referred to in R.S. 37:1368.G. Any papers from such examinations must be available for inspection and the board may require notarized affidavits from the applicant and the administering organization representative attesting to the accuracy of the examination results and the scope of any such examination, which must minimally include the subject areas described in §304.B.4 of the regulations.

I. Any person possessing a restricted master plumber license, who is also licensed by the board as a medical gas piping installer, shall not be restricted geographically with respect to his work or business as a medical gas piping installer. However, the restrictions applicable to his restricted master plumber license shall remain in effect.

J. A medical gas piping installer shall, as a condition of licensing under these regulations, maintain his brazing performance qualification in accordance with NFPA 99 standard on Gas and Vacuum Systems, latest edition. However, any licensed medical gas piping installer who annually certifies, on a form supplied by the board, that he is engaged in a managerial, supervisory or maintenance and repair employment position and is not required as a condition of employment to conduct brazing, shall be relieved of the brazing performance qualification. Any material misrepresentation made on such form by an eligible medical gas installer may be a condition for revocation or suspension of that medical gas piping installer license.

K. Any person, who at any time is cited by the board for working as a medical gas piping installer without possessing the necessary license issued by the board, shall be subject to a special enforcement fee as a precondition to any subsequent examination or licensing of any nature. This fee shall be in addition to the regular fees assessed by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366.D and R.S. 37:1368.G.

HISTORICAL NOTE: Promulgated by the Department of Labor, Plumbing Board, LR 21:1349 (December 1995), amended LR 25:1858 (October 1999).

### **§305. Requirements to Take Exam for Journeyman Plumber's License**

#### **A. Requirements**

1. An applicant for journeyman plumber's examination shall have performed 8,000 hours of manual labor of plumbing under the direct on-the-job supervision of a licensed journeyman plumber.

2. He shall have sufficient education to read and write the answers to the examination questions and shall understand the plumbing terms used in the sanitary code adopted by the Department of Health and Hospitals in regard to the installation or repair of plumbing.

3. He shall furnish a 2-inch by 2-inch photograph of himself with the application.

4. He shall submit his application and required documents to the Baton Rouge or New Orleans office of the board not less than 30 days before any scheduled examination. The board shall inform all interested persons of the examination schedule.

5. He must attach a money order or check for the appropriate fee to the application. The fee is established in §309.

6. No master plumber certificate shall permit any master plumber to do the work of a journeyman plumber.

B. Regular quarterly examinations will be held on the first Saturday of January, April, July and October in the City of Baton Rouge, or on such days specially set by the board. Regularly scheduled examinations are subject to postponement or relocation to accommodate legal holidays or other conditions beyond the control of the board.

C. Failure to report for examination will result in the forfeiture of the applicant's fee. This forfeiture may be reversed by the board upon showing a good cause by the applicant explaining his failure to attend the scheduled examination.

D. Special examinations may be held at such times and places as the board may direct. Any person or persons may request that he be examined by the board at times and places other than the regularly scheduled examination dates, and the board shall examine such applicant or applicants as are qualified, at a reasonable time and place designated by the board after notice of such request, at the payment of a fee as established by the board.

E. The examination shall be given by one or more examiners. At least one board member shall be present.

F. The chairman of the board shall appoint the examiner or examiners, who may be representatives of a private professional service provider qualified to administer a standardized, nationally recognized test duly adopted by the board. If necessary, the chairman shall appoint additional



examiners to conduct the special examination described in §305.G, or an examiner to conduct any special examination required as an accommodation to a qualified disabled individual under the Americans with Disabilities Act.

G. An applicant for journeyman plumber's examination, who does not have sufficient education to read and write the answers to the examination questions, as required in §305.A.2 of these rules, can apply to the board for a waiver of that particular requirement upon producing satisfactory proof to the board that the applicant has 10 years experience in manual labor of plumbing under the direct on-the-job supervision of a licensed plumber and has no more than a fourth grade education. A fee for this examination may be established by the board.

1. The chairman of the board shall appoint special examiners to assist these applicants in the completion of the written portion of their examinations. These special examiners will not provide any information or data to the applicants, but will only complete the written portion of any examination given to such applicants by writing the answers for the applicants as provided to the special examiner. These examiners will assist these applicants in such a manner as to prevent disclosure of answers to examination questions to any other applicant participating in the examination.

2. These applicants will be granted provisional licenses. This provisional and limited license shall permit any such applicant to engage in the work of a journeyman plumber, upon passing the special examination described herein, within the geographic areas to which the Louisiana State Plumbing Law has been made applicable. However, the license issued by the board shall state that the license was issued pursuant to these provisions.

3. Applicants under these special provisions will not be relieved of any other requirements or conditions associated with the issuance of a journeyman plumber's license by this board as established under the board's revised rules and regulations and the Louisiana State Plumbing Laws, R.S. 37:1365-37:1378.

H. Notwithstanding the foregoing provisions of this Section, any person or persons who at any time within three years of being cited by the board or its agents for engaging in the work of a journeyman plumber at a time when he did not possess a license or renewal thereof issued by the board, or was otherwise subject to civil or criminal prosecution for doing the work of a journeyman plumber without possessing a license or renewal thereof issued by the board, may request that he be examined by the board pursuant to this Section, but only after the payment of a special enforcement fee as established by the board, which shall be in addition to the regular license fee established by the board.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:1366.A and D.

**HISTORICAL NOTE:** Adopted by the Department of Labor, Plumbing Board, 1968, amended and promulgated LR 14:440 (July 1988), amended LR 15:1088 (December 1989), amended and repromulgated by the Department of Employment and Training, Plumbing Board, LR 17:51 (January 1991), amended by the Department of Labor, Plumbing Board, LR 24:1948 (October 1998), LR 25:1857 (October 1999).

## **§306. Requirements to Take Exam for Master Plumber License**

### **A. Requirements**

1. An applicant for master plumber examination shall have a current journeyman plumber license issued by the board or a restricted master plumber license described in R.S. 37:1367.C, or the applicant shall possess a current license issued by the State Board of Registration for Professional Engineers and Land Surveyors certifying or registering him as a professional engineer. A registered or certified professional engineer must further have experience in the art of plumbing as defined in R.S. 37:1377.D for a period of five years.

2. In all cases the applicant shall have sufficient knowledge and understanding to comprehend, interpret, and apply the sanitary code relative to plumbing adopted by the Louisiana Department of Health and Hospitals. In this regard, he must possess sufficient knowledge to plan and lay out plumbing systems. He must also possess knowledge and understanding to comprehend business and legal terms of the business of plumbing.

3. Persons possessing a restricted journeyman license issued pursuant to §305.G shall not be eligible for examination as a master plumber.

4. The applicant shall furnish a 2-inch by 2-inch photograph of himself with the application.

5. He shall submit his application to the Baton Rouge or New Orleans office of the board and all required documents not less than 30 days before any scheduled examination. The board shall inform all interested persons of the examination schedule.

6. He must attach a money order or check for the appropriate fee to the application. The fee is established in §309.

**B. Regular quarterly examinations will be held in conjunction with the examination conducted pursuant to §305.B, or on such days specially set by the board.**

**C. Failure to report for examination will result in the forfeiture of the applicant's fee. This forfeiture may be reversed by the board upon a showing of good cause by the applicant explaining his failure to attend the scheduled examination.**

**D. Special examinations may be held by the board under the same conditions described in §305.D.**

**E. The examination shall be given by one or more examiners. At least one board member shall be present. The examiner must be a master plumber licensed by the board or a special appointee under §306.F.**

**F. The chairman of the board shall appoint the examiner or examiners, who may be a representative of a private professional service provider qualified to administer a standardized, nationally recognized test duly adopted by the board.**

G. Notwithstanding the foregoing provisions of this Section, any person or persons who at any time within three years of being cited by the board or its agents for engaging in the work of a master plumber at a time when he did not possess an appropriate active master plumber license or renewal thereof issued by the board, or was otherwise subject to civil or criminal prosecution for doing the work of master plumber without possessing a license or renewal thereof issued by the board, may request that he be examined by the board pursuant to this Section, but only after payment of a special enforcement fee as established by the board, which shall be in addition to the regular license fee established by the board for active master plumbers.

AUTHORITY NOTE: Adopted in accordance with R.S. 37:1377 and R.S. 37:1366.

HISTORICAL NOTE: Adopted by the Department of Labor, State Plumbing Board, 1968, amended and promulgated by the Department of Employment and Training, State Plumbing Board, LR 17:52 (January 1991), amended by the Department of Labor, Plumbing Board, LR 25:1858 (October 1999).

### **§307. Renewals**

A. All plumbing and medical gas piping installer licenses, medical gas and vacuums systems verifier licenses, as well as water supply protection endorsements, expire December 31 of each year. Applications for renewal will be mailed out by the end of October. The issuance of renewals will commence November 1 of each year. The term "renewal application" as used in §307 shall refer to all licenses and endorsements issued by the board.

B. All renewal applications received at the board's office later than midnight the last day of December will be delinquent and will require a revival fee in addition to the renewal fee. Any license not renewed by the last day of December will pay a revival fee, in addition to the renewal fee, if renewed between January 1 and March 31. Any license renewed after March 31, will require an increased revival fee, in addition to the renewal fee. The fees are set forth in §309. Any person performing the work of a journeyman plumber or a master plumber without the appropriate license issued by the board after March 31 of any year without having renewed his license from the immediately preceding year shall be subject to the special enforcement fee established in §305.H or §306.G.

C. A person who has allowed his previously issued journeyman plumber license to expire may be afforded the option, in lieu of re-examination, of paying a special revival fee of \$50 per year for each year the license was not renewed up to a limit of four consecutive years. However, any such person who performs the work of a journeyman plumber without possessing a license issued by the board during this period shall be subject to the special enforcement fee established in §305.H.

D. A person who has allowed his previously issued master plumber license, inactive master plumber license or restricted master plumber license to expire may be afforded the option, in lieu of re-examination, of paying a special revival fee of \$250 per year for each year the license was not renewed up to a limit of four consecutive years. A person

who qualifies for issuance of a restricted master plumber license by virtue of R.S. 37:1368.C or D, as amended by Act 752 of the 1990 Regular Session, must apply for such license on or before December 31, 1991. A first time application by any such person after December 31, 1991 will be subject to the revival fee provisions. Any person who performs the work of a master plumber without possessing a license issued by the board during any period of lapsed license or prior to applying for a restricted master plumber license as provided herein shall be subject to the special enforcement fee established in §306.G.

E. To be considered timely filed, any renewal application under §307 must actually be received at the New Orleans office of the board within the time specified for filing or be sent to that office by first-class mail, postage prepaid, and bearing a postmark showing that the application was mailed on or before the last day for filing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366.D.

HISTORICAL NOTE: Adopted by the Department of Labor, Plumbing Board, 1968, promulgated LR 2:419 (December 1976), amended LR 7:588 (November 1981), amended by Department of Employment and Training, Plumbing Board, LR 17:52 (January 1991), LR 18:30 (January 1992), amended by the Department of Labor, Plumbing Board, LR 21:1350 (December 1995), LR 26:329 (February 2000).

### **§308. Insurance Requirements for Master Plumbers**

A. No master plumber or restricted master plumber license shall be issued, renewed, or revived until the applicant has provided proof acceptable to the board that insurance has been issued to the employing entity which is designated in accordance with R.S. 37:1367 by an insurer authorized to do business in this state.

B. The employing entity shall maintain:

1. worker's compensation insurance as required by law;
2. motor vehicle bodily injury and property damage liability insurance in the minimum amount required by law;
3. comprehensive general liability and property damage insurance in a minimum amount of \$100,000, except on plumbing work done in parishes under 30,000 persons in population; on buildings, residences, or structures being no more than 6,000 square feet of interior space, the minimum aggregate amount shall be \$50,000.

C. The provisions of this Section shall not apply to master plumbers applying for and being issued an inactive master plumber license.

D. The certification of insurance shall contain a provision, and the policy so endorsed, that the insurance carrier shall notify the board, in writing, of any change in or cancellation of the insurance policy or policies at least 30 days prior thereto.

E. In the event a master plumber or restricted master plumber changes his designation of an employing entity, the insurance requirements of this Subsection shall remain in effect.

F. A licensed journeyman plumber performing repairs as defined in §101.Repair and §301.E shall be subject to the insurance requirements of this Subsection.

G. Any master plumber or restricted master plumber subject to the lesser comprehensive general liability and property damage insurance requirements in parishes described in §308.B.3 on the type of work described therein shall be subject to the greater insurance requirements generally imposed on master plumbers and restricted master plumbers when performing work in all other parishes or on buildings, residences or structures being more than 6,000 square feet of interior space in any parish.

H. The board is empowered to assess special enforcement fees on a daily basis at a rate not to exceed \$10 a day relative to any master plumber or employing entity, or both, that fails or refuses, after due notice, to comply with the insurance requirements for master plumbers as established in §308 of these regulations. The daily enforcement fees assessed by the board under this provision shall not exceed, in the aggregate, \$500. This special enforcement fee shall be in addition to any licensing fees required by law, or any other penalty or sanction assessed by a court of competent jurisdiction or by the board.

I. If an employing entity is exempt from the worker's compensation laws, as provided by applicable Louisiana law, it shall execute an affidavit of non-coverage on a form provided by the board. Failure to timely submit this affidavit may subject the employing entity to special enforcement fees under §308 of these regulations and/or an action for injunctive relief by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366 and R.S. 37:1377.

HISTORICAL NOTE: Adopted by the Department of Labor, Plumbing Board, 1968, amended by Department of Employment and Training, Plumbing Board, LR 17:53 (January 1991), amended LR 18:30 (January 1992), amended by the Department of Labor, Plumbing Board, LR 19:897 (July 1993), LR 25:1856 (October 1999).

### §309. Fees

A. The fees and charges of the board relative to journeyman plumbers shall be as follows.

1. Special Examinations	\$500.00
2. Examinations	\$125.00
3. Illiterate Examinations	\$150.00
4. Initial License Fee (This fee to be paid after applicant has successfully passed the exam, in order to receive his first license.)	\$ 40.00
5. Renewal Fee	\$ 40.00
6. Revival Fee	\$ 15.00
If renewed after March 31	\$ 30.00
7. Temporary Permits	\$ 75.00
8. Administrative Charges for Processing Application (to be retained by the board should applicant withdraw his application before taking the examination)	\$ 62.50
9. Fee for N.S.F. or Returned Check	\$ 20.00
10. Special Enforcement Fee Imposed under §305.H	\$500.00

B. The fees and charges of the board relative to master plumbers, restricted master plumbers and inactive master plumbers shall be as follows.

1. Special Examinations	\$500
2. Examinations	\$100
3. Initial License Fee	\$180
4. Renewal Fee	\$180
5. Revival Fee	\$ 60
If renewed after March 31	\$120
6. Administrative Charges for Processing Application (to be retained by the board should applicant withdraw his application before taking the examination)	50 % of Exam Fee
7. Fee for N.S.F. or Returned Check	\$ 20
8. Special Enforcement Fee Imposed under §306.G	\$500
9. Inactive Master Plumber Fee	\$ 30
10. Fee for Conversion of Inactive Master Plumber License to Active Master Plumber	\$150
11. Employing Entity Redesignation Fee	\$150
12. Special Daily Enforcement Fee Imposed under §301.K	\$10/day, not to exceed \$500 in the aggregate
13. Special Daily Enforcement Fee Imposed under §308.H	\$10/day, not to exceed \$500 in the aggregate

C. The fees and charges of the board relative to medical gas piping installers shall be as follows.

1. Special Examinations	\$500
2. Examination	\$ 95
3. Initial License Fee (This fee to be paid after applicant has successfully passed the exam.)	\$ 30
4. Renewal Fee	\$ 30
5. Revival Fee	\$ 10
If renewed after March 31	\$ 20
6. Administrative Charges for Processing Application (to be retained by the board should an applicant withdraw his application before taking the examination)	50 % of Exam Fee
7. Fee for N.S.F. or Returned Check	\$ 20
8. Special Enforcement Fee Imposed under §304.K	\$500

D. The fees and charges of the board relative to water supply protection specialists endorsements shall be as follows.

1. Special Examinations	\$500
2. Examination	\$ 50
3. Initial Endorsement Fee (This fee to be paid after applicant has successfully passed the exam.)	\$ 10
4. Renewal Fee	\$ 10
5. Revival Fee	\$ 10
If renewed after March 31	\$ 20
6. Administrative Charges for Processing Application (to be retained by the board should an applicant withdraw his application before taking the examination)	50 % of Exam Fee
7. Fee for N.S.F. or Returned Check	\$ 20
8. Special Enforcement Fee Imposed under §310.K	\$500

E. The fees and charges of the board relative to medical gas and vacuum systems verifier shall be as follows.

1. Application Fee	\$200
2. Renewal Fee	\$200
3. Revival Fee	\$ 65
If renewed after March 31	\$130

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366.D and R.S. 37:1371.

HISTORICAL NOTE: Adopted by the Department of Labor, Plumbing Board, 1968, amended and promulgated LR 7:588 (November 1981), amended LR 15:1089 (December 1989), amended by the Department of Employment and Training, Plumbing Board, LR 16:23 (January 1990), LR 17:53 (January 1991), amended by the Department of Labor, Plumbing Board, LR 19:898 (July 1993), LR 19:1594 (December 1993), LR 21:1351 (December 1995), LR 26:327 (February 2000).

### **§310. Water Supply Protection Specialist Endorsement**

A. No natural person shall engage in the work of a water supply protection specialist unless he possesses an endorsement to either a master plumber license or a journeyman plumber license or renewals thereof issued by the board. The board shall issue such an endorsement to either form of license to any person who qualifies under the board's regulations and who desires to engage in doing the work of a water supply protection specialist, if he passes an examination given by the board and pays the fees established by the board.

B. A person possessing a restricted master plumber license, who also possesses a water supply protection specialist endorsement to that license issued by the board, shall not be restricted geographically with respect to his work or business as a water supply protection specialist. However, the restrictions applicable to his restricted master plumber license shall remain in effect.

C. As authorized by R.S. 37:1368.H, the board shall recognize and certify certain programs of education and training of water supply protection offered by private or public organizations or institutions. A journeyman or master plumber licensed by this board who successfully completes any such program shall qualify for admission to an examination offered under §310.A of these regulations. Any such organization must satisfy the board that its program or programs includes training and testing in the following areas:

1. the history of plumbing as it pertains to backflow and cross-connections and the public health;
2. knowledge of backflow and cross-connection incidents;
3. regulations, statutes, ordinances and codes (federal, state and local);
4. industry terminology, definitions and vocabulary;
5. purpose of a cross-connection control program;
6. knowledge of backflow, backpressure, back-siphonage;
7. the identification of cross-connections (direct and indirect);

8. the identification and description of backflow preventers and devices utilized for the prevention of cross-connections;

9. knowledge of the principles and operation of test gauges;

10. knowledge of proper testing of backflow preventers;

11. trouble-shooting backflow preventers;

12. responsibilities of the general tester, water purveyor, building safety departments and maintenance and repair personnel;

13. documentation (to include maintenance and repair);

14. safety (applicable rules and regulations as specified by OSHA); and

15. maintenance and repair of backflow prevention assemblies.

D. Courses of instruction defined in §310.C must be provided by a person or persons possessing a current American Society of Sanitary Engineers (ASSE) General Tester Certificate to the guidelines of the ASSE Series 5000/5010 Professional Qualifications Standard or its equivalent; a minimum of five years related experience in the plumbing, pipefitting, or related fields; proof of annual participation in at least eight hours of update and training sessions in the backflow/cross-connection field; approved by the ASSE or its equivalent; and trade related teaching experience or teaching experience for instructor qualifications.

E. To be eligible for board certification pursuant to R.S. 37:1368.H, an interested organization providing water supply protection specialist training and education must complete a written application on a form or forms supplied by the board. The board shall be entitled to receive timely information on the program or programs administered by such organization and background of instructors upon request at any time. The board, acting through its representatives, may also inspect the facility and observe the actual training and education programs used and offered by such organization. Failure to cooperate with the board and its representatives may be grounds for denial or withdrawal of board certification of any such organization. The board may investigate complaints concerning such programs. Adverse administrative action affecting an organization's application for certification or its continued status as an organization certified by the board pursuant to R.S. 37:1368.H will be subject to the Administrative Procedure Act.

F. The board may accept, in lieu of an examination directly administered by the board to any applicant, the verifiable results of an examination administered by an organization certified pursuant to R.S. 37:1368.H as evidence of successful completion of the examination referred to in R.S. 37:1368.H. Any papers from such examinations must be available for inspection and the board may require notarized affidavits from the applicant and the administering organization representative attesting to the

accuracy of the examination results and the scope of any such examination, which must minimally include the subject areas described in §310.C of these regulations.

G. An applicant for a water supply protection specialist endorsement must attach to his application a money order or check for the appropriate fee established in §309 of these regulations.

H. Regular quarterly examinations for water supply protection specialist endorsements may be held in conjunction with examinations for journeyman or master plumber license applications, or on such days specially set by the board. Interested persons shall be notified of the examination schedule.

I. A water supply protection specialist endorsement application must be submitted to the New Orleans office of the board not less than 30 days before any scheduled examination.

J. The chairman of the board shall appoint an examiner or examiners to conduct water supply protection specialist endorsement examinations. An examiner may be a representative of a private or public professional service provider qualified to administer a standardized, nationally recognized test duly adopted by the board.

K. Any person, who at any time is cited by the board for working as a water supply protection specialist without possessing an endorsement to that effect, shall be subject to a special enforcement fee as a precondition to any subsequent examination or licensing of any nature. This fee shall be in addition to the regular fees assessed by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366.D and R.S. 37:1368.H.

HISTORICAL NOTE: Promulgated by the Department of Labor, Plumbing Board, LR 21:1350 (December 1995), amended by the Department of Labor, Plumbing Board, LR 25:1859 (October 1999).

### **§311. Integrity of Examination**

A. The board may reject an examination for any license or endorsement under this Chapter, if the board determines that the applicant completed any portion of any such examination with the assistance of any other person or unauthorized written materials secreted into the examination site. Examinees will be allowed to utilize board approved resource or industry code materials or permitted by authorized third-party examiners. Examinees determined to have violated the prohibitions of this Section shall be notified in writing and, upon request by the examinee or at the direction of the executive director, an informal conference before the executive director or committee appointed by the board will be conducted. An affected examinee may appeal the determination reached in the informal conference by filing a written appeal with the board. Such appeal hearings shall comport with the provisions of R.S. 49:955.B. Based on the evidence adduced at any such hearing, the board may impose sanctions upon the examinee with respect to any subsequently administered examination and related licensing.

B. The board is empowered to act upon reports of violation of §311.A by examinees received from private or public organizations recognized as examiners under §§304.H, 306.F, 310.F or 312.B and impose sanctions as described in §311.A.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366.D.

HISTORICAL NOTE: Promulgated by the Department of Labor, Plumbing Board, LR 24:1948 (October 1998), amended LR 26:328 (February 2000).

### **§312. Medical Gas and Vacuum Systems Verifier**

A. No natural person shall engage in the work of a medical gas and vacuum systems verifier unless he possesses a license or renewal thereof issued by this board. The board shall issue a medical and vacuum systems verifier license to any person who:

1. qualifies under the board's regulations;
2. desires to engage in the work or business of a medical gas and vacuum systems verifier;
3. passes a written and manual examination conducted by a nationally recognized organization for this purpose; and
4. pays the fees established by the board.

B. As authorized by R.S. 37:1368.I, the board shall recognize and certify certain programs of education and training of medical gas and vacuum systems verifiers offered by private or public organizations or institutions. A natural person's satisfactory completion of any such program and related exit examination shall qualify him for licensing under §312.A of these regulations. Any such organization must satisfy the board that its program or programs meet the following criteria.

1. The program is conducted at a training facility and given to those persons that provide proof of training or experience in any aspect of the piping industry.

2. The program requires 32 hours of medical gas and vacuum systems training that meets criteria prescribed by the board and is included in the National Fire Protection Association (NFPA) 99 Gas and Vacuum Systems, latest edition, and American Society of Sanitary Engineers (ASSE), Series 6000, Standard 6030 (latest edition). Program testing must cover the following areas:

- a. the history of medical gas piping;
- b. application of ANSI/NFPA 99, as well as standards listed in Section 1.4 of ASSE Series 6000, Standard 6030 (latest edition), and any and all applicable laws, codes, rules, listing agencies and regulations from federal, state and local jurisdictions;
- c. industry terminology, definitions and vocabulary;
- d. basic concepts pertaining to absolute pressure, atmospheric pressure, gauge pressure, static pressure, dynamic (flowing) pressure, vacuum measurement, pressure and vacuum sensors, alarm panel locations, alarm setting, oxygen deficiency, all piped medical gases and patient safety;

e. identification of the parts and components of medical gas and vacuum systems and equipment, and their application and limitations with respect to health care facilities;

f. operating principles and performance characteristics of medical gas and vacuum pipeline systems and their components;

g. proper installation requirements for medical gas and vacuum pipelines systems relating to manufacturer recommendations, physical location, ventilation and accessibility, and local jurisdiction requirements;

h. identification of failures and the possible causes for component failure of medical gas and vacuum systems;

i. identification and description of the tests applicable to medical gas piping equipment, its physical operation, maintenance and calibration requirements;

j. identification and description of the hazards and precautions required for field testing of medical gas and vacuum piping systems;

k. test forms containing information described in ASSE Series 6000, Standard 6030 (latest edition), and its appendices.

3. The program must employ or utilize instructors who are certified as medical gas and vacuum systems verifiers by a governmental agency having jurisdiction over medical gas piping. In the absence of a governmental agency exercising such jurisdiction, the board will recognize private or public organizations who have conducted 32-hour programs of training in the field of medical gas and vacuum system verification, including written and practical examination covering all facets of ASSE Series 6000, Standard 6030 (latest edition).

C. To be eligible for board certification pursuant to R.S. 37:1368.I, an interested organization providing medical gas and vacuum systems verification training and education must complete a written application on a form or forms supplied by the board. The board shall be entitled to receive timely information on the program or programs administered by such organization and background of instructors upon request at any time. The board, acting through its representatives, may also inspect the facility and observe the actual training and education programs used or offered by such organizations. Failure to cooperate with the board and its representatives may be grounds for denial or withdrawal of board certification of any such organization. The board may investigate complaints concerning such programs. Adverse administrative action affecting an organization's application for certification or its continued status as an organization certified by the board pursuant to R.S. 37:1368.I will be subject to the Administrative Procedure Act.

D. An applicant for a medical gas and vacuum systems verifier license must attach to his application a money order or check for the appropriate fees established in §309 of these regulations.

E. The board may accept, in lieu of an examination directly administered by the board to any applicant, the verifiable results of an examination administered by an organization certified pursuant to R.S. 37:1368.I, as evidence of successful completion of the examination necessary for the issuance of a license for medical gas and vacuum systems verifier. Any papers from such examinations must be available for inspection and the board may require notarized affidavits from the applicant and the administering organization representative attesting to the accuracy of the examination results and the scope of any such examination, which must minimally include the subject areas described in §312.B.2 of the regulations.

F. Any person, who at any time is cited by the board for working as a medical gas and vacuum systems verifier without possessing the necessary license issued by the board, shall be subject to a special enforcement fee as a precondition to any subsequent examination or licensing of any nature. The fee shall be in addition to the regular fees assessed by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366.D.

HISTORICAL NOTE: Promulgated by the Department of Labor, Plumbing Board, LR 26:329 (February 2000).

### **§313. Standards for Medical Gas and Vacuum Systems Verifiers**

A. A medical gas and vacuum systems verifier shall not certify to any party the results of any tests on medical gas pipeline systems or equipment installed or repaired by any person not licensed by the board as a medical gas piping installer.

B. As a condition for licensing and renewal thereof, and subject to the disciplinary powers of the board under R.S. 37:1378(3) and (8), any person licensed by the board as a medical gas and vacuum systems verifier shall be obligated to cooperate with the Louisiana State Fire Marshal and his agents in connection with his regulation of medical gas piping installation and systems verification.

C. The duties described in §313.B include the responsibility of a medical gas and vacuum systems verifier to accurately report to the Fire Marshal prior to the Fire Marshal's inspection the following as to any gas and vacuum system subject to his verification:

1. the successful completion of pressure testing of all manufactured assemblies for both positive gases and vacuum systems, as supplied by the manufacturer of any such systems, prior to this installation;

2. satisfactory cleaning of piping and fittings from the cleaning agency in accordance with the standard "Cleaning Equipment for Oxygen Service" (CGA G-4.1);

3. documentation of each board-licensed medical gas piping installer's Braze Performance Qualification in accordance with NFPA 99 standard on Gas and Vacuum Systems, latest edition;

4. documentation of the medical gas contractor's Braze Procedure Specification and Procedure Qualification record;

5. documentation of successful completion of the board-licensed installer's required testing, including a blowdown test, initial pressure test, cross-connection test, piping purge test and standing pressure test;

6. documentation of the verifier's successful completion of required testing, including cross-connection, valve test, outlet flow test, alarm testing, piping purge test, piping purity test, final tie-in test, operational pressure test, medical gas concentration test, medical air purity test and labeling.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1336.D.

HISTORICAL NOTE: Promulgated by the Department of Labor, Plumbing Board, LR 26:330 (February 2000).

## Chapter 5. The Board

### §501. Applicability

A. This Part shall apply to:

1. all cities, towns, villages, communities and public sewerage and/or water districts in the state of Louisiana;

2. all areas within 1 mile of the boundary of any city or sewer or water districts referred to above; and all areas within 1 mile of the community, sewerage or water facilities of the areas referred to above;

3. nothing herein contained shall be construed to apply to any employee of any municipal department or gas, sewer, and/or water district system.

AUTHORITY NOTE: Adopted in accordance with R.S. 37:1377 and R.S. 37:1366.

HISTORICAL NOTE: Adopted by the Department of Labor, State Plumbing Board, 1968, amended and promulgated by Department of Employment and Training, State Plumbing Board, LR 17:53 (January 1991).

### §503. Officers

A. Officers of the board shall be representative of the trade, so that all board members will be eligible for office, but the three officers cannot all be from the same organization.

1. Chairman. The chairman shall be chief executive officer of the board and shall:

a. preside over all meetings of the members;

b. have general active management of the board's business;

c. see that all regulations, declaratory orders, resolutions, and minutes of all regular or special meetings of the board are carried into effect;

d. have the general powers and duties of supervision and management usually vested in the office of president, all subject to the approval of the board at the next meeting;

e. execute agreements in the name of and on behalf of the board, and co-sign checks, but shall not enter into contracts, agreements, or debts without approval of a majority of the board members present at a regular or special meeting, or favorable written ballot of at least five board members.

2. Vice Chairman. The vice chairman shall:

a. perform the duties of chairman in the absence of the chairman at all annual or called meetings or should the chairman become temporarily incapacitated. The vice chairman shall succeed the chairman in case of resignation or death of the chairman;

b. perform the duties of the secretary-treasurer should the secretary-treasurer become temporarily incapacitated.

3. Secretary-Treasurer. The secretary-treasurer shall:

a. keep minutes of all meetings in a separate official minute book provided for that purpose, which, upon approval by the board, shall be signed by the president and secretary;

b. give notice of all meetings of the board and in general, he shall perform all duties incident to the office of the secretary;

c. be charged with the performance of such services on behalf of the board as may from time to time be determined by the board members;

d. have custody of all funds, securities, and other properties and assets of the board;

e. keep books belonging to the board, full and accurate amounts of all receipts and disbursements;

f. deposit all monies, securities, and other valuable effects in the name of the board in such depositories as may be designated for that purpose by the board members;

g. disburse the funds of the board as may be ordered by the board members, making proper vouchers for such disbursements, and shall render to the chairman and to the board at the regular meeting or when requested, an account of all his transactions as treasurer;

h. submit a detailed financial statement in writing at the annual meeting;

i. co-sign all checks;

j. with the chairman, shall prepare a budget for presentation to the board at each annual meeting;

k. mail minutes of all meetings or examinations to each board member not less than 30 days after such meeting or examination;

l. mail notices and renewal applications to all holders of certificates not later than November 1 each year;

m. as soon as possible after March 1 each year, compile a list of all certificates issued by the board, and make list available without cost to board members, advisory committee members, State Pipe Trades Association, Louisiana Association of Plumbing-Heating-Cooling Contractors and to such state officials, state boards, or committees as normally require such a list;

n. shall cause himself, the chairman, vice chairman and the other necessary employees to be bonded in the amount as set by the board. The premium shall be paid by the board;

o. have authority with approval of the chairman to hire temporary office help, when needed, and subject to confirmation at the next board meeting;

p. after each meeting promptly record all motions.

AUTHORITY NOTE: Adopted in accordance with R.S. 37:1377 and R.S. 37:1366.

HISTORICAL NOTE: Adopted by the Department of Labor, State Plumbing Board, 1968, amended and promulgated by Department of Employment and Training, State Plumbing Board, LR 17:53 (January 1991).

#### **§505. Duties of Board Members**

A. Each board member shall:

1. represent himself as a board member only in official board activities;
2. attend and take an active part in all board meetings;
3. review financial reports, and all correspondence sent to them pertaining to board business;
4. promptly respond to all mail polls.

B. No board member shall correspond or conduct himself in any manner tending to create an appearance of official board action without specific written authority of the board.

AUTHORITY NOTE: Adopted in accordance with R.S. 37:1377 and R.S. 37:1366.

HISTORICAL NOTE: Adopted by the Department of Labor, State Plumbing Board, 1968, amended and promulgated by Department of Employment and Training, State Plumbing Board, LR 17:54 (January 1991).

#### **§506. Executive Director**

A. The board may appoint and employ an executive director who shall be responsible for performing whatever duties the board may assign or delegate to him to effectuate the purposes and policies of the Plumbing Law, these regulations or orders of the board.

AUTHORITY NOTE: Adopted in accordance with R.S. 37:1377 and R.S. 37:1366.

HISTORICAL NOTE: Adopted by the Department of Labor, State Plumbing Board, 1968, amended and promulgated by Department of Employment and Training, State Plumbing Board, LR 17:54 (January 1991).

#### **§507. Meetings**

A. The board shall hold quarterly meetings and any special meetings shall be called when and if necessary, if funds are available.

B. The annual meeting of the board and election of officers shall be held during the month of August of each year. Special meetings may be called by the chairman or by five members of the board. No special meetings shall be called without notifying each board member and each member of the advisory committee in writing 10 days in advance.

AUTHORITY NOTE: Adopted in accordance with R.S. 37:1377 and R.S. 37:1366.

HISTORICAL NOTE: Adopted by the Department of Labor, State Plumbing Board, 1968, amended and promulgated by Department of Employment and Training, State Plumbing Board, LR 17:54 (January 1991).

## **Chapter 7. Board Employees**

### **§701. Seasonal and Part-Time Employees**

A. Board members and advisory board members shall be given ID cards, with their pictures on them, so that they can act as special enforcement officers for the board.

B. The board may employ special enforcement officers as is necessary for the conduct of the board's affairs, as directed by the board. These enforcement officers shall receive a salary fixed by the board, plus travel expenses.

C. The special enforcement officer's duties shall be as follows:

1. visit job sites and check for licenses in areas as designated by the board;
2. conduct inspections and investigations of plumbing work and activities of employing entities as instructed by the board;
3. document his enforcement activities and any violations of the Plumbing Law investigated by him;
4. all reports of field work shall be reported in writing to the board's office;
5. provide evidence in any administrative or legal proceeding initiated under the Plumbing Law by the board.

D. Examiners

1. Examiners employed to conduct any examination for a journeyman plumber license must be licensed journeyman plumbers or possess such skill and knowledge relating to the pipe trades as the board may deem appropriate. Examiners employed to conduct any examination for a master plumber license shall conform with §306.E or F. They shall be notified two weeks prior to date of examination, and shall notify the board if they are unable to attend. They shall receive for their wages a fee fixed by the board. The journeyman plumber examiner shall report at least 15 minutes prior to time of the examination, to the board member presiding over examination, and his duties shall be as follows:

- a. administer the examination under the supervision of the board members in attendance;
- b. correct any papers pertaining to the examination and tabulate for final grades, before leaving, unless the examination is administered by a representative of a private professional service provider as described in §305.F of these regulations;
- c. sign each project of examination which is assigned to and graded by him;
- d. sign master grade sheet.

2. The master plumber examiner shall report to the board member present and shall assist the board member as directed.



E. Custodians. The duties of the custodians shall include the care of all tools and materials pertaining to the examination and to assure that examination site is prepared for the examination to commence at the scheduled time. Wherever and whenever a person acts as both a custodian and an examiner at an examination given by this board, he shall be paid fees due for each task.

AUTHORITY NOTE: Adopted in accordance with R.S. 37:1377 and R.S. 37:1366.

HISTORICAL NOTE: Adopted by the Department of Labor, State Plumbing Board, 1968, amended and promulgated by Department of Employment and Training, State Plumbing Board, LR 17:54 (January 1991), amended by the Department of Labor, Plumbing Board, LR 25:1858 (October 1999).

### **§703. Salaries**

A. The board may employ other necessary employees who shall receive a salary according to the salary schedule fixed by the board.

B. Custodians, examiners, and special enforcement officers shall receive a fee fixed by the board.

AUTHORITY NOTE: Adopted in accordance with R.S. 37:1377 and R.S. 37:1366.

HISTORICAL NOTE: Adopted by the Department of Labor, State Plumbing Board, 1968, promulgated by the Department of Employment and Training, State Plumbing Board, LR 17:55 (January 1991).

## **Chapter 8. Preemption**

### **§801. Preemption of Municipal or Other Local Regulatory Authorities**

A. The Plumbing Law and these regulations shall preempt municipal or other local regulatory examinations authority over master plumbers, notwithstanding any contrary provision of any home rule charter. Municipal or other local regulatory authorities may assess and collect locally adopted fees and charges relative to plumbing work as defined in R.S. 37:1377 performed in their respective jurisdictions, but only to persons licensed under R.S. 37:1368.

B. Any permit issued by a municipal or other local regulatory authority which authorized the applicant to perform plumbing work shall state on the face of the application form in bold, conspicuous writing and lettering the following notice:

#### **NOTICE**

Any person who performs plumbing work as defined by the Louisiana Plumbing Law, R.S. 1377, shall possess a license issued by the Louisiana State Plumbing Board. A master plumber shall properly designate his employing entity to the board. Any questions concerning compliance shall be addressed to the board.

C. The board may enter into cooperative arrangements with the Louisiana Department of Health and Hospitals, the Louisiana State Fire Marshal or local governing authorities to aid in the enforcement of the board's regulations.

D. Nothing herein shall prohibit the board from receiving and acting under R.S. 37:1378(7) or (8) upon notices of adjudications of violations of Louisiana Department of

Health and Hospitals regulations, Louisiana State Fire Marshal regulations, or local municipal or parish plumbing codes not otherwise preempted or superseded by the Plumbing Law or these regulations.

AUTHORITY NOTE: Adopted in accordance with R.S. 37:1377 and R.S. 37:1366.

HISTORICAL NOTE: Adopted by the Department of Labor, State Plumbing Board, 1968, amended and promulgated by Department of Employment and Training, State Plumbing Board, LR 17:55 (January 1991), amended by the Department of Labor, Plumbing Board, LR 26:331 (February 2000).

## **Chapter 9. Revocation and Related Administration Proceedings**

### **§901. Revocation, Suspension and Probation Procedures**

A. All adjudication proceedings initiated pursuant to R.S. 37:1378 and conducted by the board shall be in accordance with the Administrative Procedure Act, R.S. 49:955 et seq. The term *licensee* as used in this Section, shall refer, where applicable, to the holder of a journeyman plumber, restricted journeyman plumber, master plumber, restricted master plumber, inactive master plumber, medical gas piping installer or medical gas and vacuum systems verifier license, and holder of a water supply protection specialist endorsement.

B. All proceedings calling for suspension, revocation or probation of a licensee shall begin with the receipt of a complaint by the board. This complaint shall be in writing and signed by the complainant, who shall be a person of the full age of majority.

C. The complaint shall be investigated by the executive director or a special enforcement officer under the direction of the board or executive director. The board may designate representatives of local governing authorities to investigate complaints.

D. The executive director shall conduct an informal conference with the licensee identified in the complaint. The purpose of this procedure shall be to afford the licensee the opportunity to review a summary of the evidence developed as a result of the investigation of the complaint as well as an opportunity to respond. If the executive director determines that the licensee has sufficiently proven the complaint to be without merit, he may recommend to the board that no further investigation be conducted. If the executive director determines after the informal hearing that the complaint has merit, he shall report his findings to the board. The informal hearing may be conducted by correspondence, if the licensee consents. If a conference with the executive director is requested, the licensee must make all reasonable efforts to cooperate with the executive director or designated representative in scheduling the time and place of the informal hearing.

E. Upon conclusion of the informal hearing procedure, a formal hearing shall be scheduled before the board or a hearing officer designated by the board. In the event the executive director recommends rejection of the complaint,

the board shall review his findings and conclusions. The board may refuse the recommendation of the executive director and proceed with a formal hearing.

F. Formal hearing procedures shall be commenced by a formal notice of complaint outlining the charges against the licensee sent to the licensee at his last known address. It shall comport with the provisions of R.S. 49:955.B. This notice shall require a response by the licensee within 10 days. Upon written motion by the licensee or his attorney, the response time may be extended.

G. The licensee shall return his response to the complaint to the board within 10 days or within the extended time granted by the board. Failure to respond shall be deemed a waiver of his right to a hearing. In response, the licensee shall either deny or admit the allegations of the complaint and shall either request a hearing before the board or a designated hearing officer or waive his right to said hearing.

H. If the licensee waives his right to a hearing or does not respond in writing within the time allotted, the board or designated hearing officer shall decide the case forthwith. The board or designated hearing officer shall make specific findings of fact, conclusions of law. The hearing officer shall submit his findings and conclusions in the form of a recommendation to the board.

I. If the licensee responds and participates in a formal hearing, he shall be afforded the opportunity to present evidence and cross-examine witnesses. The testimony of the witnesses shall be transcribed. The hearing shall be conducted according to the Administrative Procedure Act. Prehearing discovery by any party may be permitted upon motion to the board. Subpoenas shall be issued in accordance with R.S. 49:956(5).

J. The board shall make a decision based on the evidence heard by it or the hearing officer's report and determine what sanctions if any should be imposed and issue an appropriate order with respect thereto. This order shall be served on the licensee.

K. Sanctions imposed by the board may include reprimand, probation, suspension, revocation or any combination thereof and, where applicable, reinstatement fees.

1. Reprimands may include a personal conference between the licensee and the executive director and/or a letter to the licensee regarding the incident or incidents which have been brought to the board's attention and which may or may not be determined to warrant a hearing.

2. Probation will include stipulations which may be imposed by the board as a result of the findings of facts developed at a formal hearing. The order shall clarify the obligations of the licensee through a specified period of time. A licensee who is placed on probation by the board may practice but only in accordance with the terms of his probation as established by the board. He may be required to certify to the board his compliance with the terms of probation from time to time as directed by the board.

### 3. Suspension

a. A license or license endorsement to practice plumbing, engage in the work of a water supply protection specialist and/or medical gas piping installer may be withheld by the board as a result of the findings of fact presented in a hearing. The duration of a suspension may be for a definite or indefinite period of time. A licensee or endorsement holder whose license or endorsement is suspended may not practice plumbing, the work of a water supply protection specialist and/or medical gas installer in the state of Louisiana during the designated period of suspension.

b. The definite time of suspension shall be stipulated by the board in the order to the licensee. Upon termination of the time period the licensee shall be entitled to receive his license upon payment of the required fee and upon documented compliance with the conditions which may have been imposed by the board at the time of the original order. The reinstatement fee shall not exceed the special enforcement fee under §305.H or §306.G.

c. If a license is suspended for an indefinite term, the licensee may petition for reinstatement of his license only after one calendar year has lapsed from the date of the original order. The board may terminate the suspension and reinstate such license after a hearing is held and the board determines that the cause/causes for the suspension no longer exist or that intervening circumstances have altered the condition leading to the suspension. If reinstatement is granted the licensee shall pay the required reinstatement fee, which shall not exceed the amount established as the special enforcement fee under §305.H or §306.G.

L. Revocation. A license or endorsement to practice plumbing, engage in the work of a water supply protection specialist and/or medical gas piping installer may be withdrawn by the board for any reason or ground permitted by R.S. 37:1378 or other law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366.D.

HISTORICAL NOTE: Adopted by the Department of Labor, Plumbing Board, 1968, amended and promulgated by the Department of Employment and Training, Plumbing Board, LR 17:55 (January 1991), amended by Department of Labor, Plumbing Board, LR 21:1352 (December 1995), LR 26:331 (February 2000).

### §902. Declaratory Orders and Rulings

A. The board on its own motion may move for a declaratory order or ruling as to the applicability of any statutory provision or of any rule or order of the board. Any interested party may petition the board for a declaratory order or ruling as stated above.

B. Said petition shall contain the following information:

1. the full name, address, telephone number of the petitioner;
2. the interest asserted by the petitioner;
3. specific reference to the statute, rule, or order with respect to which the declaratory order or ruling is sought;

4. a concise statement of the purpose, reasons and nature of the declaratory order or ruling sought.

C. Said petition shall be considered by the board at its next regularly scheduled meeting provided that the petition has been filed at least 30 days prior to said meeting.

D. The order or ruling rendered by the board on said petition shall be in writing and mailed to petitioner at last address furnished to the board.

AUTHORITY NOTE: Adopted in accordance with R.S. 37:1377 and R.S. 37:1366.

HISTORICAL NOTE: Adopted by the Department of Labor, State Plumbing Board, 1968, amended and promulgated by Department of Employment and Training, State Plumbing Board, LR 17:56 (January 1991).

### **§903. Enforcement**

A. The board may employ any means of enforcing its rules and regulations as is authorized in Louisiana Revised Statutes of 1950, R.S. 37:1374.

AUTHORITY NOTE: Adopted in accordance with R.S. 37:1374 and R.S. 37:1366

HISTORICAL NOTE: Adopted by the Department of Labor, State Plumbing Board, 1968.

## **Chapter 10. Continuing Professional Education Programs**

### **§1001. Journeyman and Master Plumbers**

#### **A. CPE Requirement**

1. All persons seeking to renew a journeyman license issued by the Louisiana State Plumbing Board are required to attend and show proof of attendance at no less than four hours of a Louisiana State Plumbing Board-approved CPE class in the prior calendar year, as set out in this Section.

2. All persons seeking to renew a master plumber's license or to convert an inactive master plumber's license to an active master plumber's license must attend and show proof of attendance at no less than six hours of a Louisiana State Plumbing Board-approved CPE class in the prior calendar year, as set out in this Section.

3. A holder of an Inactive Master Plumber's license who seeks to renew said license must file an affidavit in a form provided by the Louisiana State Plumbing Board, that they have been inactive as a plumber in the previous year, and that they will remain inactive and not work as a plumber for the year for which they seek to renew their license. Upon such filing with the Louisiana State Plumbing Board, the holder of an Inactive Master Plumber's License will not be required to meet the CPE requirements set out herein.

4. A holder of an Inactive Master Plumber's License who seeks to function as a journeyman plumber is required to attend and show proof of attendance at no less than four hours of a Louisiana State Plumbing Board-approved CPE class in the prior calendar year, as set out in this Section.

#### **B. Course Materials**

1. The Louisiana State Plumbing Board will annually approve course materials to be used for the CPE required for renewal of Journeyman Plumber and Master Plumber Licenses. The course materials are the printed materials that are the basis for a substantial portion of a CPE course and which are provided to the licensees. Louisiana State Plumbing Board approval of course materials will be subject to all of the terms and conditions of this Section. The following minimum criteria will be used by the Louisiana State Plumbing Board in considering approval of course materials.

2. The course materials will provide the basis for a minimum of four classroom hours of study for journeyman plumbers and a minimum of six hours for master plumbers. Two of the hours will be in the subjects of health protection, consumer protection or environmental protection, with the two of the remaining hours covering subjects which shall include information concerning the Act, Louisiana State Plumbing Board rules, current industry practices and codes, and subjects from lists of approved subjects published by the Louisiana State Plumbing Board. Two hours of the materials for master plumbers will be on business topics approved by the Louisiana State Plumbing Board.

3. The Louisiana State Plumbing Board will periodically publish lists of approved and required subjects.

4. The course materials must be presentations of relevant issues and changes within the subject areas as they apply to the plumbing practice in the current market, public health or topics which increase or support the licensee's development of skill and competence.

5. The course materials may not advertise or promote the sale of goods, products or services.

6. The course materials must be printed and bound in perfect/standard, metal coil or ring binder form.

7. The course materials will include perforated Louisiana State Plumbing Board forms within the binding of the course materials that may be removed for use by the licensees. The forms will include CPE evaluation forms, license and endorsement examination forms and general complaint forms.

8. All course materials must have the following characteristics:

a. high quality, readable and carefully prepared written materials with correct grammar, spelling and punctuation;

b. appropriate illustrations and graphics to show concepts not easily explained in words; and

c. in depth and comprehensive presentation of subject matter which increases or supports the skills or competence of the licensees.

9. The provider of course materials must have legal ownership of or an appropriate license for the use of all copyrighted material included within the course materials. Louisiana State Plumbing Board approved course materials will contain a prominently displayed approval statement in 10 point bold type or larger containing the following language:

"THIS CONTINUING PROFESSIONAL EDUCATION COURSE MATERIAL HAS BEEN APPROVED BY THE LOUISIANA STATE PLUMBING BOARD FOR USE IN THE (state year) CPE YEAR. BY ITS APPROVAL OF THIS COURSE MATERIAL, THE LOUISIANA STATE PLUMBING BOARD DOES NOT ASSUME ANY RESPONSIBILITY FOR THE ACCURACY OF THE CONTENTS. FURTHER, THE LOUISIANA STATE PLUMBING BOARD HAS NOT MADE ANY DETERMINATION THAT THE PARTY PUBLISHING THE COURSE MATERIALS HAS COMPLIED WITH ANY APPLICABLE COPYRIGHT AND OTHER LAWS IN PUBLISHING THE COURSE MATERIAL AND THE LOUISIANA STATE PLUMBING BOARD DOES NOT ASSUME ANY LIABILITY OR RESPONSIBILITY THEREFOR. THE COURSE MATERIAL IS NOT BEING PUBLISHED BY NOR IS IT A PUBLICATION OF THE LOUISIANA STATE PLUMBING BOARD."

10. The provider of course materials will conduct instructor training in the use of course materials.

11. The provider of course materials will be required to have distribution facilities that will ensure prompt distribution of course materials, facsimile ordering and a statewide toll free telephone number for placing orders. The provider of course materials must ship any ordered material within ten business days after the receipt of the order and payment for the course materials.

12. Any individual, business or association who wishes to offer to provide course materials shall apply to the Louisiana State Plumbing Board for approval using application forms prepared by the Louisiana State Plumbing Board. In order to be approved, the application must satisfy the Louisiana State Plumbing Board as to the ability of the individual, business or association to provide quality course materials as required in this Section and must include:

- a. name and address of individual applicant;
- b. names and addresses of all officers, directors, trustees or members of the governing board of any business or association applicant;
- c. statement by individual applicant, and each officer, director, trustee or member of governing board as to whether he or she has ever been convicted of a felony or misdemeanor other than a minor traffic violation;
- d. certificate of good standing issued by the Louisiana Secretary of State for corporate applicants;
- e. maximum fees to be charged for course materials;
- f. taxpayer identification number;
- g. method for quarterly reporting of course provider, instructors, and licensee evaluations of course materials to the Louisiana State Plumbing Board; and an application fee to be set as provided by law.

13. The provider of course materials must sell course materials to all course providers on request, at a price not to exceed the maximum fee to be charged as stated on the provider's application.

14. The Louisiana State Plumbing Board may refuse to accept any application for approval as a provider of course materials that is not complete. The Louisiana State Plumbing Board may deny approval of an application for any of the following reasons:

- a. failure to comply with the provisions of this Section;
- b. inadequate coverage of the materials required to be included in course materials; or
- c. unsatisfactory evaluations of the course materials by licensees or Louisiana State Plumbing Board members or staff.

15. If an application is refused or disapproved, written notice detailing the basis of the decision shall be provided to the applicant within 90 days of the refusal or disapproval.

16. A provider's authority to offer the course materials for which CPE credit is given expires on December 31 of the calendar year following approval.

17. To be approved, 20 copies of course materials, including any handouts and audio/visual aids to be used, must be submitted in complete draft form to the Louisiana State Plumbing Board's office no later than October 15 (or at least 30 days prior to the Louisiana State Plumbing Board's November meeting, whichever is earlier) for Louisiana State Plumbing Board approval at its November Louisiana State Plumbing Board meeting. At least 20 copies each of all course materials that are approved at the Louisiana State Plumbing Board's November meeting shall be provided to the Louisiana State Plumbing Board's office no later than February of the following year, at no cost to the Louisiana State Plumbing Board.

18. Upon a showing of compelling necessity, the plumbing board, in its discretion, may grant an exception to the requirement that material be submitted prior to the plumbing board's November meeting, and, pursuant to this exception, may approve material submitted at least 30 days prior to any quarterly meeting of the plumbing board, which otherwise meets the requirements of this Section.

19. A provider's failure to comply with this Section constitutes grounds for disciplinary action, consistent with the Louisiana Administrative Procedure Act, against the provider or for disapproval of future applications for approval as a provider of course materials.

#### C. Course Form and Content

1. Course providers will offer classroom instruction in the course materials used for the CPE required for renewal of journeymen and master licenses issued under the Act. Louisiana State Plumbing Board approval of course providers will be subject to all of the terms and conditions of this Section.

2. CPE courses shall be presented in one of the following formats:

- a. a minimum of four classroom hours presented on one day; or
- b. for master plumbers, six hours on one day; or
- c. not less than two sessions of two classroom hours each presented within a 30-day period; or
- d. for master plumbers, two sessions of three classroom hours each presented within a 30-day period.

3. Not less than two hours of the classroom course will be in the subjects of health protection, environmental protection or consumer protection.

4. Not less than two hours of the master plumbers' class will be on business topics approved by the Louisiana State Plumbing Board.

5. Presentations must be based primarily on the course materials and any other materials approved by the Louisiana State Plumbing Board.

6. In addition to course materials, presentations may include videos, films, slides or other appropriate types of illustrations and graphic materials related to the course materials, as approved by the Louisiana State Plumbing Board.

7. A course provider may not advertise or promote the sale of any goods, products or services between the opening and closing hours of any CPE class.

8. Each course provider shall furnish a uniquely numbered Certificate of Completion of CPE to each licensee, but only after the licensee has completed the CPE course. The Louisiana State Plumbing Board will assign the unique numbers to be used on each certificate to each course provider.

9. Each course provider shall, at its own expense and in a format approved by the Louisiana State Plumbing Board, mail, fax or electronically transmit to the Louisiana State Plumbing Board certification of each licensee's completion of CPE requirements within 30 days of completion.

10. Each course provider shall be reviewed annually by the Louisiana State Plumbing Board to ensure that classes have been provided equally across the state of Louisiana.

11. Each course provider must notify the Louisiana State Plumbing Board at least seven working days before conducting classes; the notice shall contain the time(s) and place(s) where the classes will occur.

12. Each course provider will perform self-monitoring and reporting as required by the Louisiana State Plumbing Board, including a certified roster of all persons attending the course, with the license number of each attendee included.

13. Each course provider shall permit any Louisiana State Plumbing Board member or a duly designated representative of the Louisiana State Plumbing Board to monitor any CPE class for compliance purposes.

#### D. Course Providers

1. Each course provider shall use only course instructors that have been approved by the Louisiana State Plumbing Board. Each course provider shall annually submit to the Louisiana State Plumbing Board's office a list of course instructors it employs and the instructors' credentials for approval.

a. Lists of course instructors to be approved for the following year must be submitted no later than October 15 or 30 days prior to the date of the Louisiana State Plumbing Board's November meeting (whichever is earlier) for approval by the Louisiana State Plumbing Board at its November meeting, unless an extension is requested at or before the August Louisiana State Plumbing Board meeting and granted by the Louisiana State Plumbing Board.

b. Prior to allowing course instructors to teach CPE, course providers must provide documentation to the Louisiana State Plumbing Board showing the instructor's qualifications to teach CPE, including but not limited to detailed information on any experience in providing instruction, assistance in providing instruction or successful completion of training for providing instruction.

c. Course instructors must comply with Subsection E of this Section. Course providers shall notify the Louisiana State Plumbing Board within 10 working days of any change of an instructor's employment status with the course provider.

2. Any individual, business or association who wishes to be a course provider shall apply to the Louisiana State Plumbing Board for approval using application forms prepared by the Louisiana State Plumbing Board. In order to be approved, the application must satisfy the Louisiana State Plumbing Board as to the ability of the individual, business or association to provide quality instruction in the course materials as required in this Section and must include:

- a. name and address of the applicant;
- b. names and addresses of all officers, directors, trustees or members of the governing board of any business or association applying;
- c. statement by applicant, and each officer, director, trustee or member of governing board (if applicable) as to whether he or she has ever been convicted of a felony or misdemeanor other than a minor traffic violation;
- d. certificate of good standing issued by the Louisiana Secretary of State for corporate applicants;
- e. taxpayer identification number;
- f. facsimile number, statewide toll free telephone number, Internet web site or electronic mail address;
- g. fees to be charged to licensees for attending the course;
- h. an example of a licensee's certificate of completion of CPE;

i. a CPE class scheduling plan for providing courses equally across the state. Course providers must, at a minimum, offer the CPE class in each of the following cities: Lafayette, New Orleans, Baton Rouge, Alexandria, Shreveport, Lake Charles and Monroe; however, the Louisiana State Plumbing Board or its director may, solely at their discretion, grant a request that the course not be offered in one or more of these locations, upon a demonstration of economic infeasibility by the course provider;

j. a method for quarterly reporting compilations of licensee evaluations of course provider and course instructors to the Louisiana State Plumbing Board;

k. identification of the course materials which will be used by the course provider; and

l. an application fee to be set as provided by law.

3. If the course provider is not the creator of the course materials and will purchase the course materials, the course provider may not charge the licensees more than the maximum cost set out by the course material provider in its application.

4. The fees charged to the licensees for attending the course will be determined by the course provider.

5. The Louisiana State Plumbing Board may refuse to accept any application for approval as a course provider that is not complete. The Louisiana State Plumbing Board may deny approval of an application for any of the following reasons:

a. failure to comply with the provisions of this Section;

b. inadequate instruction of the materials required to be included in course materials; or

c. unsatisfactory evaluations of the course provider by licensees, Louisiana State Plumbing Board members or Louisiana State Plumbing Board staff.

6. If an application is refused or disapproved, written notice detailing the basis of the decision shall be provided to the applicant within 90 days of the date of the decision.

7. A course provider's authority to offer instruction in the course materials for which CPE credit is given expires on December 31 of the calendar year following approval.

8. The Louisiana State Plumbing Board shall review course providers for quality of instruction: The Louisiana State Plumbing Board shall also investigate and take appropriate action, consistent with the Louisiana Administrative Procedure Act, up to and including revocation of authority to provide CPE, regarding complaints involving approved course providers.

9. A provider's failure to comply with this Section constitutes grounds for disciplinary action in accord with the Louisiana Administrative Procedure Act, up to and including revocation of authority to provide CPE, against the provider or for denial of future applications for approval as a course provider.

## E. Course Instructors

1. The Louisiana State Plumbing Board will annually approve course instructors to provide the classroom instruction in the course materials used for the CPE required for renewal of Journeyman Plumber and Master Plumber Licenses. Louisiana State Plumbing Board approval of course instructors will be subject to all of the terms and conditions of this Section. An individual who wishes to be approved by the Louisiana State Plumbing Board as a course instructor must apply to the Louisiana State Plumbing Board using an application form approved by the Louisiana State Plumbing Board. The following minimum criteria will be used by the Louisiana State Plumbing Board in considering approval of course instructors:

a. all course instructors for master plumbers must hold a Louisiana state master plumber's license, and those for journeymen must hold a master's or journeyman's license; and

b. demonstrate an ability to train others, including but not limited to providing a description of their previous training experience; and

c. must be employed by an approved course provider.

2. A course instructor may use, under their live supervision, a non-licensed, supplemental lecturer to present additional material as required. However, the minimum four hours required by this Section for journeymen and six hours for masters must be taught by an approved course instructor. A course instructor must identify in their application any supplemental lecturer they intend to use, and the subject matter the supplemental lecturer will discuss.

3. Course instructors and supplemental lecturers may not advertise or promote the sale of goods, products, or services between the opening and closing hours of any CPE class.

4. As a course instructor and licensee of the Louisiana State Plumbing Board, a course instructor must:

a. be well versed in and knowledgeable of the course materials;

b. maintain an orderly and professional classroom environment; and

c. coordinate with the course provider to develop an appropriate method for handling disorderly and disruptive students. A course instructor shall report to the course provider and the Louisiana State Plumbing Board any non-responsive or disruptive student who attends a CPE course. The Louisiana State Plumbing Board may deny CPE credit to any such student and require, at the student's expense, successful completion of an additional CPE course to receive credit.

5. The Louisiana State Plumbing Board shall review course instructors for quality of instruction. The Louisiana State Plumbing Board shall also respond to complaints regarding course instructors.

6. A course instructor's failure to comply with this Section constitutes grounds for disciplinary action against the Instructor or for disapproval of future applications for approval as a course instructor, in accord with the Louisiana Administrative Procedure Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366(I).

HISTORICAL NOTE: Promulgated by the Department of Labor, State Plumbing Board, LR 30:2068 (September 2004).

### **§1003. Water Supply Protection Specialists**

#### **A. CPE Requirement**

1. In addition to the yearly renewal of their endorsement, every three years all persons holding a water supply protection specialist endorsement issued by the Louisiana State Plumbing Board are required to show proof of attendance at no less than 6 hours of a Louisiana State Plumbing Board-approved CPE training class in the prior three calendar years, as set out in this Section.

#### **B. Course Materials**

1. The Louisiana State Plumbing Board will annually approve course materials to be used for the CPE required for renewal of water supply protection specialist endorsements. The course materials are the printed materials that are the basis for a substantial portion of a CPE course and which are provided to the licensees. Louisiana State Plumbing Board approval of course materials will be subject to all of the terms and conditions of this Section. The following minimum criteria will be used by the Louisiana State Plumbing Board in considering approval of course materials.

2. The course materials will provide the basis for a minimum of six classroom hours of study related to water supply protection and back flow prevention.

3. The Louisiana State Plumbing Board will periodically publish lists of approved and required subjects.

4. The course materials must be presentations of relevant issues and changes within the subject areas as they apply to the practice of water supply protection and back flow protection in the current market, public health or topics which increase or support the licensee's development of skill and competence, including but not limited to the current plumbing and sanitary codes.

5. The course materials may not advertise or promote the sale of goods, products or services.

6. The course materials must be printed and bound in perfect/standard, metal coil or ring binder form.

7. The course materials will include perforated Louisiana State Plumbing Board forms within the binding of the course materials that may be removed for use by the licensees. The forms will include CPE evaluation forms, license and endorsement examination forms and general complaint forms.

8. All course materials must have the following characteristics:

a. high quality, readable and carefully prepared written materials with correct grammar, spelling and punctuation;

b. appropriate illustrations and graphics to show concepts not easily explained in words; and

c. in depth and comprehensive presentation of subject matter which increases or supports the skills or competence of the licensees.

9. The provider of course materials must have legal ownership of or an appropriate license for the use of all copyrighted material included within the course materials. Louisiana State Plumbing Board approved course materials will contain a prominently displayed approval statement in 10 point bold type or larger containing the following language:

"THIS CONTINUING PROFESSIONAL EDUCATION COURSE MATERIAL HAS BEEN APPROVED BY THE LOUISIANA STATE PLUMBING BOARD FOR USE IN THE (state year) CPE YEAR. BY ITS APPROVAL OF THIS COURSE MATERIAL, THE LOUISIANA STATE PLUMBING BOARD DOES NOT ASSUME ANY RESPONSIBILITY FOR THE ACCURACY OF THE CONTENTS. FURTHER, THE LOUISIANA STATE PLUMBING BOARD HAS NOT MADE ANY DETERMINATION THAT THE PARTY PUBLISHING THE COURSE MATERIALS HAS COMPLIED WITH ANY APPLICABLE COPYRIGHT AND OTHER LAWS IN PUBLISHING THE COURSE MATERIAL AND THE LOUISIANA STATE PLUMBING BOARD DOES NOT ASSUME ANY LIABILITY OR RESPONSIBILITY THEREFOR. THE COURSE MATERIAL IS NOT BEING PUBLISHED BY NOR IS IT A PUBLICATION OF THE LOUISIANA STATE PLUMBING BOARD."

10. The provider of course materials will conduct instructor training in the use of course materials.

11. The provider of course materials will be required to have distribution facilities that will ensure prompt distribution of course materials, facsimile ordering and a statewide toll free telephone number for placing orders. The provider of course materials must ship any ordered material within ten business days after the receipt of the order and payment for the course materials.

12. Any individual, business or association who wishes to offer to provide course materials shall apply to the Louisiana State Plumbing Board for approval using application forms prepared by the Louisiana State Plumbing Board. In order to be approved, the application must satisfy the Louisiana State Plumbing Board as to the ability of the individual, business or association to provide quality course materials as required in this Section and must include:

a. name and address of individual applicant;

b. names and addresses of all officers, directors, trustees or members of the governing board of any business or association applicant;

c. statement by individual applicant, and each officer, director, trustee or member of governing board as to whether he or she has ever been convicted of a felony or misdemeanor other than a minor traffic violation;

- d. certificate of good standing issued by the Louisiana Secretary of State for corporate applicants;
- e. maximum fees to be charged for course materials;
- f. taxpayer identification number;
- g. method for quarterly reporting of course provider, Instructors, and licensee evaluations of course materials to the Louisiana State Plumbing Board; and
- h. an application fee to be set as provided by law.

13. The provider of course materials must sell course materials to all course providers on request, at a price not to exceed the maximum fee to be charged as stated on the provider's application.

14. The Louisiana State Plumbing Board may refuse to accept any application for approval as a provider of course materials that is not complete. The Louisiana State Plumbing Board may deny approval of an application for any of the following reasons:

- a. failure to comply with the provisions of this Section;
- b. inadequate coverage of the materials required to be included in course materials; or
- c. unsatisfactory evaluations of the course materials by licensees or Louisiana State Plumbing Board members or staff.

15. If an application is refused or disapproved, written notice detailing the basis of the decision shall be provided to the applicant within 90 days of the refusal or disapproval.

16. A provider's authority to offer the course materials for which CPE credit is given expires on December 31 of the calendar year following approval.

17. To be approved 20 copies of course materials, including any hand outs and audio visual aids to be used, must be submitted in complete draft form to the Louisiana State Plumbing Board's office no later than October 15 (or at least 30 days prior to the Louisiana State Plumbing Board's November meeting, whichever is earlier), for Louisiana State Plumbing Board approval at its November Louisiana State Plumbing Board meeting. At least 20 copies each of all course materials that are approved at the Louisiana State Plumbing Board's November meeting shall be provided to the Louisiana State Plumbing Board's office no later than February of the following year, at no cost to the Louisiana State Plumbing Board.

18. Upon a showing of compelling necessity, the plumbing board, in its discretion, may grant an exception to the requirement that material be submitted prior to the plumbing board's November meeting, and pursuant to this exception, may approve material submitted at least 30 days prior to any quarterly meeting of the plumbing board, which otherwise meets the requirements of this Section.

19. A provider's failure to comply with this Section constitutes grounds for disciplinary action, consistent with the Louisiana Administrative Procedure Act, against the provider or for disapproval of future applications for approval as a provider of course materials.

## C. Course Form and Content

1. Course providers will offer classroom instruction in the course materials used for the CPE required for renewal of water supply protection specialist endorsements issued under the Act. Louisiana State Plumbing Board approval of course providers will be subject to all of the terms and conditions of this Section.

2. CPE courses shall be presented in one of the following formats:

- a. a minimum of six classroom hours presented on one day; or

- b. not less than two sessions of three classroom hours each presented within a 30-day period.

3. Not less than two hours of the classroom course will be in the subjects of health protection, environmental protection or consumer protection.

4. Presentations must be based primarily on the course materials and any other materials approved by the Louisiana State Plumbing Board.

5. In addition to course materials, presentations may include videos, films, slides or other appropriate types of illustrations and graphic materials related to the course materials, as approved by the Louisiana State Plumbing Board.

6. A course provider may not advertise or promote the sale of any goods, products or services between the opening and closing hours of any CPE class.

7. Each course provider shall furnish a uniquely numbered certificate of completion of CPE to each licensee, but only after the licensee has completed the CPE course. The Louisiana State Plumbing Board will assign the unique numbers to be used on each certificate to each course provider.

8. Each course provider shall, at its own expense and in a format approved by the Louisiana State Plumbing Board, mail, fax or electronically transmit to the Louisiana State Plumbing Board certification of each licensee's completion of CPE requirements within 30 days of completion.

9. Each course provider shall be reviewed annually by the Louisiana State Plumbing Board to ensure that classes have been provided equally across the state of Louisiana.

10. Each course provider must notify the Louisiana State Plumbing Board at least seven working days before conducting classes; the notice shall contain the time(s) and place(s) where the classes will occur.

11. Each course provider will perform self-monitoring and reporting as required by the Louisiana State Plumbing Board, including a certified roster of all persons attending the course, with the license number of each attendee included.

12. Each course provider shall permit any Louisiana State Plumbing Board member or a duly designated representative of the Louisiana State Plumbing Board to monitor any CPE class for compliance purposes.



#### D. Course Providers

1. Each course provider shall use only course instructors that have been approved by the Louisiana State Plumbing Board. Each course provider shall annually submit to the Louisiana State Plumbing Board's office a list of course instructors it employs and the instructors' credentials for approval.

a. Lists of course instructors to be approved for the following year must be submitted no later than October 15 or 30 days prior to the date of the Louisiana State Plumbing Board's November meeting, (whichever is earlier), for approval by the Louisiana State Plumbing Board at its November meeting, unless an extension is requested at or before the August Louisiana State Plumbing Board meeting and granted by the Louisiana State Plumbing Board.

b. Prior to allowing course instructors to teach CPE, course providers must provide documentation to the Louisiana State Plumbing Board showing the instructor's qualifications to teach CPE, including but not limited to detailed information on any experience in providing instruction, assistance in providing instruction or successful completion of training for providing instruction.

c. Course instructors must comply with Subsection E of this Section. Course providers shall notify the Louisiana State Plumbing Board within 10 working days of any change of an instructor's employment status with the course provider.

2. Any individual, business or association who wishes to be a course provider shall apply to the Louisiana State Plumbing Board for approval using application forms prepared by the Louisiana State Plumbing Board. In order to be approved, the application must satisfy the Louisiana State Plumbing Board as to the ability of the individual, business or association to provide quality instruction in the course materials as required in this Section and must include:

- a. name and address of the applicant;
- b. names and addresses of all officers, directors, trustees or members of the governing board of any business or association applying;
- c. statement by applicant, and each officer, director, trustee or member of governing board (if applicable) as to whether he or she has ever been convicted of a felony or misdemeanor other than a minor traffic violation;
- d. certificate of good standing issued by the Louisiana Secretary of State for corporate applicants;
- e. taxpayer identification number;
- f. facsimile number, statewide toll free telephone number, Internet web site or electronic mail address;
- g. fees to be charged to licensees for attending the course;
- h. an example of a licensee's certificate of completion of CPE;

i. a CPE class scheduling plan for providing courses equally across the state. course providers must, at a minimum offer the CPE class in each of the following cities: Lafayette, New Orleans, Baton Rouge, Alexandria, Shreveport, Lake Charles and Monroe; however, the Louisiana State Plumbing Board or its director may, solely at their discretion grant a request that the course not be offered in one or more of these locations, upon a demonstration of economic infeasibility by the course provider;

j. a method for quarterly reporting compilations of licensee evaluations of course provider and course instructors to the Louisiana State Plumbing Board;

k. identification of the course materials which will be used by the course provider; and an application fee to be set as provided by law.

3. If the course provider is not the creator of the course materials and will purchase the course materials, the course provider may not charge the licensees more than the maximum cost set out by the course material provider in its application.

4. The fees charged to the licensees for attending the course will be determined by the course provider.

5. The Louisiana State Plumbing Board may refuse to accept any application for approval as a course provider that is not complete. The Louisiana State Plumbing Board may deny approval of an application for any of the following reasons:

- a. failure to comply with the provisions of this Section;
- b. inadequate instruction of the materials required to be included in course materials; or
- c. unsatisfactory evaluations of the course provider by licensees, Louisiana State Plumbing Board members or Louisiana State Plumbing Board staff.

6. If an application is refused or disapproved, written notice detailing the basis of the decision shall be provided to the applicant within 90 days of the date of the decision.

7. A course provider's authority to offer instruction in the course materials for which CPE credit is given expires on December 31 of the calendar year following approval.

8. The Louisiana State Plumbing Board shall review course providers for quality of instruction: The Louisiana State Plumbing Board shall also investigate and take appropriate action, consistent with the Louisiana Administrative Procedure Act, up to and including revocation of authority to provide CPE, regarding complaints involving approved course providers.

9. A provider's failure to comply with this Section constitutes grounds for disciplinary action in accord with the Louisiana Administrative Procedure Act, up to and including revocation of authority to provide CPE, against the provider or for denial of future applications for approval as a course provider.

## E. Course Instructors

1. The Louisiana State Plumbing Board will annually approve course instructors to provide the classroom instruction in the course materials used for the CPE required for renewal of water supply protection specialist endorsements. Louisiana State Plumbing Board approval of course instructors will be subject to all of the terms and conditions of this Section. An individual who wishes to be approved by the Louisiana State Plumbing Board as a course instructor must apply to the Louisiana State Plumbing Board using an application form approved by the Louisiana State Plumbing Board. The following minimum criteria will be used by the Louisiana State Plumbing Board in considering approval of course instructors:

- a. all course instructors must hold a Louisiana state water supply protection specialist endorsement;
- b. demonstrate an ability to train others, including but not limited to providing a description of their previous training experience; and
- c. must be employed by an approved course provider.

2. A course instructor may use, under their live supervision, a non-licensed, supplemental lecturer to present additional material as required. However, the minimum six hours required by this Section must be taught by an approved course instructor. A course instructor must identify in their application any supplemental lecturer they intend to use, and the subject matter the supplemental lecturer will discuss.

3. A course instructors and supplemental lecturers may not advertise or promote the sale of goods, products, or services between the opening and closing hours of any CPE class.

4. As a course instructor and licensee of the Louisiana State Plumbing Board, a course instructor must:

- a. be well versed in and knowledgeable of the course materials;
- b. maintain an orderly and professional classroom environment; and
- c. coordinate with the course provider to develop an appropriate method for handling disorderly and disruptive students. A course instructor shall report to the course provider and the Louisiana State Plumbing Board, any non-responsive or disruptive student who attends a CPE course. The Louisiana State Plumbing Board may deny CPE credit to any such student and require, at the student's expense, successful completion of an additional CPE course to receive credit.

5. The Louisiana State Plumbing Board shall review course instructors for quality of instruction. The Louisiana State Plumbing Board shall also respond to complaints regarding course instructors.

6. A course instructor's failure to comply with this Section constitutes grounds for disciplinary action against the Instructor or for disapproval of future applications for approval as a course instructor, in accord with the Louisiana Administrative Procedure Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366(I).

HISTORICAL NOTE: Promulgated by the Department of Labor, State Plumbing Board, LR 30:2071 (September 2004).

### **§1005. Medical Gas Piping Installers and Medical Gas Verifiers**

## A. CPE Requirement

1. In addition to the yearly renewal of their endorsement, every three years all persons seeking to renew a medical gas piping installer or medical gas verifier license issued by the Louisiana State Plumbing Board are required to show proof of attendance at no less than four hours of a Louisiana State Plumbing Board-approved CPE class in the prior three calendar years, as set out in this Section.

## B. Course Materials

1. The Louisiana State Plumbing Board will annually approve course materials to be used for the CPE required for renewal of a medical gas piping installer license. The course materials are the printed materials that are the basis for a substantial portion of a CPE course and which are provided to the licensees. Louisiana State Plumbing Board approval of course materials will be subject to all of the terms and conditions of this Section. The following minimum criteria will be used by the Louisiana State Plumbing Board in considering approval of course materials.

2. The course materials will provide the basis for a minimum of four classroom hours of study related to medical gas piping installation, including but not limited to the application of NFPA 99C to medical gas piping; industry terminology, definitions and standards; performance criteria and objectives; medical gas hazards; basic medical gas system components; storage and manifold requirements; requirements for gas supply systems; bulk systems; medical air compressors; color coding and labeling requirements; scope of piping; valves, medical gas rails; gas piping; brazing procedures and installation requirements; and alarm requirements.

3. The Louisiana State Plumbing Board will periodically publish lists of approved and required subjects.

4. The course materials must be presentations of relevant issues and changes within the subject areas as they apply to the practice of medical gas piping installation in the current market, public health or topics which increase or support the licensee's development of skill and competence.

5. The course materials may not advertise or promote the sale of goods, products or services.

6. The course materials must be printed and bound in perfect/standard, metal coil or ring binder form.

7. The course materials will include perforated Louisiana State Plumbing Board forms within the binding of the course materials that may be removed for use by the licensees. The forms will include CPE evaluation forms, license and endorsement examination forms and general complaint forms.

8. All course materials must have the following characteristics:

- a. high quality, readable and carefully prepared written materials with correct grammar, spelling and punctuation;
- b. appropriate illustrations and graphics to show concepts not easily explained in words; and
- c. in depth and comprehensive presentation of subject matter which increases or supports the skills or competence of the licensees.

9. The provider of course materials must have legal ownership of or an appropriate license for the use of all copyrighted material included within the course materials. Louisiana State Plumbing Board approved course materials will contain a prominently displayed approval statement in 10 point bold type or larger containing the following language:

"THIS CONTINUING PROFESSIONAL EDUCATION COURSE MATERIAL HAS BEEN APPROVED BY THE LOUISIANA STATE PLUMBING BOARD FOR USE IN THE (state year) CPE YEAR. BY ITS APPROVAL OF THIS COURSE MATERIAL, THE LOUISIANA STATE PLUMBING BOARD DOES NOT ASSUME ANY RESPONSIBILITY FOR THE ACCURACY OF THE CONTENTS. FURTHER, THE LOUISIANA STATE PLUMBING BOARD HAS NOT MADE ANY DETERMINATION THAT THE PARTY PUBLISHING THE COURSE MATERIALS HAS COMPLIED WITH ANY APPLICABLE COPYRIGHT AND OTHER LAWS IN PUBLISHING THE COURSE MATERIAL AND THE LOUISIANA STATE PLUMBING BOARD DOES NOT ASSUME ANY LIABILITY OR RESPONSIBILITY THEREFOR. THE COURSE MATERIAL IS NOT BEING PUBLISHED BY NOR IS IT A PUBLICATION OF THE LOUISIANA STATE PLUMBING BOARD."

10. The provider of course materials will conduct instructor training in the use of course materials.

11. The provider of course materials will be required to have distribution facilities that will ensure prompt distribution of course materials, facsimile ordering and a statewide toll free telephone number for placing orders. The provider of course materials must ship any ordered material within ten business days after the receipt of the order and payment for the course materials.

12. Any individual, business or association who wishes to offer to provide course materials shall apply to the Louisiana State Plumbing Board for approval using application forms prepared by the Louisiana State Plumbing Board. In order to be approved, the application must satisfy the Louisiana State Plumbing Board as to the ability of the individual, business or association to provide quality course materials as required in this Section and must include:

- a. name and address of individual applicant;
- b. names and addresses of all officers, directors, trustees or members of the governing board of any business or association applicant;
- c. statement by individual applicant, and each officer, director, trustee or member of governing board as to whether he or she has ever been convicted of a felony or misdemeanor other than a minor traffic violation;

d. certificate of good standing issued by the Louisiana Secretary of State for corporate applicants;

e. maximum fees to be charged for course materials;

f. taxpayer identification number;

g. method for quarterly reporting of course provider, instructors, and licensee evaluations of course materials to the Louisiana State Plumbing Board; and

h. an application fee to be set as provided by law.

13. The provider of course materials must sell course materials to all course providers on request, at a price not to exceed the maximum fee to be charged as stated on the provider's application.

14. The Louisiana State Plumbing Board may refuse to accept any application for approval as a provider of course materials that is not complete. The Louisiana State Plumbing Board may deny approval of an application for any of the following reasons:

- a. failure to comply with the provisions of this Section;
- b. inadequate coverage of the materials required to be included in course materials; or
- c. unsatisfactory evaluations of the course materials by licensees or Louisiana State Plumbing Board members or staff.

15. If an application is refused or disapproved, written notice detailing the basis of the decision shall be provided to the applicant within 90 days of the refusal or disapproval.

16. A provider's authority to offer the course materials for which CPE credit is given expires on December 31 of the calendar year following approval.

17. To be approved 20 copies of course materials, including any hand outs and audio visual aids to be used, must be submitted in complete draft form to the Louisiana State Plumbing Board's office no later than October 15 (or at least 30 days prior to the Louisiana State Plumbing Board's November meeting, whichever is earlier), for Louisiana State Plumbing Board approval at its November Louisiana State Plumbing Board meeting. At least 20 copies each of all course materials that are approved at the Louisiana State Plumbing Board's November meeting shall be provided to the Louisiana State Plumbing Board's office no later than February of the following year, at no cost to the Louisiana State Plumbing Board.

18. Upon a showing of compelling necessity, the plumbing board, in its discretion, may grant an exception to the requirement that material be submitted prior to the plumbing board's November meeting, and pursuant to this exception, may approve material submitted at least 30 days prior to any quarterly meeting of the plumbing board, which otherwise meets the requirements of this Section.

19. A provider's failure to comply with this Section constitutes grounds for disciplinary action, consistent with the Louisiana Administrative Procedure Act, against the provider or for disapproval of future applications for approval as a provider of course materials.

## C. Course Form and Content

1. Course providers will offer classroom instruction in the course materials used for the CPE required for renewal of a medical gas piping installer or medical gas verifier license issued under the Act. Louisiana State Plumbing Board approval of course providers will be subject to all of the terms and conditions of this Section.

2. CPE courses shall be presented in one of the following formats:

a. a minimum of two classroom hours presented on one day; or

b. not less than two sessions of two classroom hours each presented within a 30-day period.

3. Not less than two hours of the classroom course will be in the subjects of health protection, environmental protection or consumer protection.

4. Presentations must be based primarily on the course materials and any other materials approved by the Louisiana State Plumbing Board.

5. In addition to course materials, presentations may include videos, films, slides or other appropriate types of illustrations and graphic materials related to the course materials, as approved by the Louisiana State Plumbing Board.

6. A course provider may not advertise or promote the sale of any goods, products or services between the opening and closing hours of any CPE class.

7. Each course provider shall furnish a uniquely numbered Certificate of Completion of CPE to each licensee, but only after the licensee has completed the CPE course. The Louisiana State Plumbing Board will assign the unique numbers to be used on each certificate to each course provider.

8. Each course provider shall, at its own expense and in a format approved by the Louisiana State Plumbing Board, mail, fax or electronically transmit to the Louisiana State Plumbing Board certification of each licensee's completion of CPE requirements within 30 days of completion.

9. Each course provider shall be reviewed annually by the Louisiana State Plumbing Board to ensure that classes have been provided equally across the state of Louisiana.

10. Each course provider must notify the Louisiana State Plumbing Board at least seven working days before conducting classes; the notice shall contain the time(s) and place(s) where the classes will occur.

11. Each course provider will perform self-monitoring and reporting as required by the Louisiana State Plumbing Board, including a certified roster of all persons attending the course, with the license number of each attendee included.

12. Each course provider shall permit any Louisiana State Plumbing Board member or a duly designated representative of the Louisiana State Plumbing Board to monitor any CPE class for compliance purposes.

## D. Course Providers

1. Each course provider shall use only course instructors that have been approved by the Louisiana State Plumbing Board. Each course provider shall annually submit to the Louisiana State Plumbing Board's office a list of course instructors it employs and the instructors' credentials for approval.

a. Lists of course instructors to be approved for the following year must be submitted no later than October 15 or 30 days prior to the date of the Louisiana State Plumbing Board's November meeting, (whichever is earlier), for approval by the Louisiana State Plumbing Board at its November meeting, unless an extension is requested at or before the August Louisiana State Plumbing Board meeting and granted by the Louisiana State Plumbing Board.

b. Prior to allowing course instructors to teach CPE, course providers must provide documentation to the Louisiana State Plumbing Board showing the instructor's qualifications to teach CPE, including but not limited to detailed information on any experience in providing instruction, assistance in providing instruction or successful completion of training for providing instruction.

c. Course instructors must comply with Subsection E of this Section. course providers shall notify the Louisiana State Plumbing Board within 10 working days of any change of an instructor's employment status with the course provider.

2. Any individual, business or association who wishes to be a course provider shall apply to the Louisiana State Plumbing Board for approval using application forms prepared by the Louisiana State Plumbing Board. In order to be approved, the application must satisfy the Louisiana State Plumbing Board as to the ability of the individual, business or association to provide quality instruction in the course materials as required in this Section and must include:

a. name and address of the applicant;

b. names and addresses of all officers, directors, trustees or members of the governing board of any business or association applying;

c. statement by applicant, and each officer, director, trustee or member of governing board (if applicable) as to whether he or she has ever been convicted of a felony or misdemeanor other than a minor traffic violation;

d. certificate of good standing issued by the Louisiana Secretary of State for corporate applicants;

e. taxpayer identification number;

f. facsimile number, statewide toll free telephone number, Internet web site or electronic mail address;

g. fees to be charged to licensees for attending the course;

h. an example of a licensee's Certificate of Completion of CPE;

i. a CPE class scheduling plan for providing courses equally across the state. course providers must, at a minimum, offer the CPE class in each of the following cities: Lafayette, New Orleans, Baton Rouge, Alexandria, Shreveport, Lake Charles and Monroe; however, the Louisiana State Plumbing Board or its director may, solely at their discretion grant a request that the course not be offered in one or more of these locations, upon a demonstration of economic infeasibility by the course provider;

j. a method for quarterly reporting compilations of licensee evaluations of course provider and course instructors to the Louisiana State Plumbing Board;

k. identification of the course materials which will be used by the course provider; and

l. an application fee to be set as provided by law.

3. If the course provider is not the creator of the course materials and will purchase the course materials, the course provider may not charge the licensees more than the maximum cost set out by the course material provider in its application.

4. The fees charged to the licensees for attending the course will be determined by the course provider.

5. The Louisiana State Plumbing Board may refuse to accept any application for approval as a course provider that is not complete. The Louisiana State Plumbing Board may deny approval of an application for any of the following reasons:

a. failure to comply with the provisions of this Section;

b. inadequate instruction of the materials required to be included in course materials; or

c. unsatisfactory evaluations of the course provider by licensees, Louisiana State Plumbing Board members or Louisiana State Plumbing Board staff.

6. If an application is refused or disapproved, written notice detailing the basis of the decision shall be provided to the applicant within 90 days of the date of the decision.

7. A course provider's authority to offer instruction in the course materials for which CPE credit is given expires on December 31 of the calendar year following approval.

8. The Louisiana State Plumbing Board shall review course providers for quality of instruction: The Louisiana State Plumbing Board shall also investigate and take appropriate action, consistent with the Louisiana Administrative Procedure Act, up to and including revocation of authority to provide CPE, regarding complaints involving approved course providers.

9. A provider's failure to comply with this Section constitutes grounds for disciplinary action in accord with the Louisiana Administrative Procedure Act, up to and including revocation of authority to provide CPE, against the provider or for denial of future applications for approval as a course provider.

## E. Course Instructors

1. The Louisiana State Plumbing Board will annually approve course instructors to provide the classroom instruction in the course materials used for the CPE required for renewal of a medical gas piping installer license. Louisiana State Plumbing Board approval of course instructors will be subject to all of the terms and conditions of this Section. An individual who wishes to be approved by the Louisiana State Plumbing Board as a course instructor must apply to the Louisiana State Plumbing Board using an application form approved by the Louisiana State Plumbing Board. The following minimum criteria will be used by the Louisiana State Plumbing Board in considering approval of course instructors:

a. all course instructors must hold a Louisiana state medical gas piping installer's license;

b. demonstrate an ability to train others, including but not limited to providing a description of their previous training experience; and

c. must be employed by an approved course provider.

2. A course instructor may use, under their live supervision, a non-licensed, supplemental lecturer to present additional material as required. However, the minimum two hours required by this Section must be taught by an approved course instructor. A course instructor must identify in their application any supplemental lecturer they intend to use, and the subject matter the supplemental lecturer will discuss.

3. A course instructors and supplemental lecturers may not advertise or promote the sale of goods, products, or services between the opening and closing hours of any CPE class.

4. As a course instructor and licensee of the Louisiana State Plumbing Board, a course instructor must:

a. be well versed in and knowledgeable of the course materials;

b. maintain an orderly and professional classroom environment; and

c. coordinate with the course provider to develop an appropriate method for handling disorderly and disruptive students. A course instructor shall report to the course provider and the Louisiana State Plumbing Board, any non-responsive or disruptive student who attends a CPE course. The Louisiana State Plumbing Board may deny CPE credit to any such student and require, at the student's expense, successful completion of an additional CPE course to receive credit.

5. The Louisiana State Plumbing Board shall review course instructors for quality of instruction. The Louisiana State Plumbing Board shall also respond to complaints regarding course instructors.

6. A course instructor's failure to comply with this Section constitutes grounds for disciplinary action against the Instructor or for disapproval of future applications for

## PROFESSIONAL AND OCCUPATIONAL STANDARDS

approval as a course instructor, in accord with the Louisiana Administrative Procedure Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366(I).

HISTORICAL NOTE: Promulgated by the Department of Labor, State Plumbing Board, LR 30:2074 (September 2004).

### **§1007. Effective Date**

A. The provisions of this Section shall become effective on January 1, 2006, subject to continuance of this date by the Louisiana State Plumbing Board, as noticed in the *Louisiana Register*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366(I).

HISTORICAL NOTE: Promulgated by the Department of Labor, State Plumbing Board, LR 30:2077 (September 2004).

**Title 46**  
**PROFESSIONAL AND OCCUPATIONAL STANDARDS**  
**Part LV. Plumbers**  
**Index**

Applicability, 13	Meetings, 14
Application for License, 4	Officers, 13
Board Members, Duties of, 14	Orders and Rulings, Declaratory, 16
Date, Effective, 28	Plumber(')(s)
Declaratory Orders and Rulings, 16	Insurance Requirements for Master, 8
Definitions, 1	Journeyman and Master, 17
Employees, Seasonal and Part-Time, 14	License, Requirements to Take Exam
Enforcement, 17	for Master, 7
Examination, Integrity of, 11	for Journeyman, 6
Executive Director, 14	Probation Procedures, 15
Fees, 9	Regulatory Authorities, Preemption of Municipal or Other
Gas	Local, 15
and Vacuum Systems Verifier(s)	Renewals, 8
Medical, 11	Requirements
Standards for, 12	for Master Plumbers, Insurance, 8
Piping Installer(s)	to Take Exam
and Medical Gas Verifiers, Medical, 24	for Journeyman Plumber's License, 6
License, Medical, 5	Master Plumber License, 7
Gender and Meaning, 2	Revocation Procedures, 15
Insurance Requirements for Master Plumbers, 8	Rulings, Declaratory Orders and, 16
License(s)	Salaries, 15
Application for, 4	Specialist(s)
Medical Gas Piping Installer, 5	Endorsement, Water Supply Protection, 10
Requirements to Take Exam	Water Supply Protection, 21
for Journeyman Plumber's, 6	Suspension Procedures, 15
for Master Plumber, 7	Water Supply Protection Specialist(s), 21
Required, 2	Endorsement, 10